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ABSTRACT

This manual, an update of the 1979 publication, "Pennsylvania Guidelines for Student Discipline," is intended for use by Pennsylvania school districts as they review or revise their student discipline codes. It presents a structure for responses to student misconduct, which lists student misbehaviors by type and assigns appropriate disciplinary responses to each. Next, several discipline-related issues are reviewed, including suspensions, repeated infractions, dealing with criminal violations, expulsion, restriction on extracurricular activities, responsibility and discipline for students beyond compulsory school age, and consistency and fairness in discipline. Recommendations are given for appropriate responses to each of these issues. Finally, six appendices provide: (1) a summary of changes in Chapter 12, Students' Rights and Responsibilities, of the Pennsylvania State Board of Education Regulations; (2) the text of Chapter 12; (3) suggestions for developing a local student discipline and conduct code; (4) a discipline code checklist; (5) notes on establishing alternatives education programs; and (6) a planning inventory for alternative discipline programs. (KH)

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Turning the Tide

DISCIPLINE

Policies and Guidelines

An Agenda for Excellence in Pennsylvania Public Schools

Pennsylvania Department of Education 1984

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June 1984

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I. INTRODUCTION

During the past year there has been a growing concern throughout the nation, the Commonwealth of Pennsylvania, and the educational community about the effects of student discipline and the quality of learning taking place in schools. President Reagan, in an address before the 1983 National Forum on Excellence in Education in Indianapolis, called on all Americans to renew their commitment to improving school discipline. Governor Dick Thornburgh in "Turning the Tide: An Agenda for Excellence in Pennsylvania Public Schools" calls upon local school districts to develop discipline policies "which define behavior expectations and help insure classroom environments of mutual respect between teachers and students."

It was against this backdrop of growing concern on the part of national and state leaders, as well as educators, that Dr. Robert C. Wilburn, Secretary of Education, and Dr. Margaret A. Smith, Commissioner for Basic Education, directed the preparation of a publication to assist school districts in developing or revising student conduct codes.

With assistance from the Pennsylvania Association of School Administrators, the Pennsylvania Associations of Elementary and Secondary School Principals and nine school districts, the Department of Education has developed this manual which updates a similar 1979 publication. Much of the basic content of Pennsylvania Guidelines for Student Discipline has been retained, thanks to the excellent work of the 1979 task force. This new manual is intended for use by school districts as they review or revise their student conduct codes. The goal of this publication, and the statewide focus on discipline, is to insure the creation of student conduct codes which improve the discipline system of a school district and develop more responsible student behavior.

The objectives of this publication are to:

- .Prepare a framework which school districts can use in developing a discipline system for a student conduct code.
- .Recommend a structure for categorizing types of student misbehavior and for applying "fair and equitable" disciplinary responses to these categories.
- .Broaden the overall range of disciplinary alternatives available in schools.
- .Suggest options to the traditional disciplinary actions of suspension and expulsion.
- .Establish standards of appropriate or desirable student behavior.
- .Present model programs which have proven effective in developing greater student responsibility and positive behavior.
- .Identify resources outside the school capable of handling the most serious types of student misconduct.
- .Present methods for creating a more effective relationship between the school and the juvenile justice system.

The major portion of this manual discusses a number of general considerations related to student discipline; presents a Structure for Responses to Student Misconduct; and offers a set of specific issue areas in school discipline with recommendations for their resolution. Also included as appendices are: a summary of regulatory changes; the new Chapter 12 (Student Rights and Responsibilities); guidelines for developing a local discipline code; a checklist for developing a discipline code; sample discipline policies developed by local districts; suggestions for establishing alternative disciplinary programs; and a checklist for developing alternative education programs.

Sample policies included in this publication should be viewed as examples only. They are intended to serve as starting points for school districts as they develop policies which respond to needs in their particular community.

II. A STRUCTURE FOR RESPONSES TO STUDENT MISCONDUCT

Acknowledging the overriding importance of developing appropriate responses to various forms of student misconduct, a first activity was to prepare a student misconduct/disciplinary response structure. This scheme, presented by the 1979 task force, is in outline form. The accompanying chart was designed to provide schools with direction in developing a new student discipline system or to assist in the critical review of an established system.

In preparing this structure, the task force followed a simple process which could be used by local committees developing a district discipline policy:

1. Compile a list of typical student misbehaviors and disciplinary responses.
2. Assign misbehaviors to clusters based on their relationship to one another.
3. Refine these clusters into clearly defined misconduct categories.
4. Assign appropriate disciplinary responses to each misconduct category.
5. Tie these categories together into a logical structure having clear implications for further policy development.

Using this five step process, the accompanying chart was developed. It defines four levels of misconduct, provides six or eight examples of misbehaviors which fall into each category and lists, in a rough priority order, the responses most appropriately used at each level.

The list of examples and options are not all inclusive nor are they applicable to all schools. Each school district is urged to generate its own list of student offenses and pair them with the appropriate disciplinary options.

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DISCIPLINARY RESPONSES TO STUDENT MISCONDUCT

LEVELS OF MISCONDUCT	EXAMPLES
I. Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school. These misbehaviors can usually be handled by an individual staff member but sometimes require the intervention of other school support personnel.	Classroom disturbance Classroom tardiness Abusive language Nondefiant failure to complete assignments or carry out directions
II. Misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school. These infractions, which usually result from the continuation of LEVEL I misbehaviors, require the intervention of personnel on the administrative level because the execution of LEVEL I disciplinary options has failed to correct the situation. Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of administrative personnel.	Continuation of unmodified LEVEL I misbehavior School Tardiness Truancy Smoking in unauthorized areas Using forged notes or excuses Disruptive classroom behavior Cutting class
III. Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of others in the school. These acts might be considered criminal but most frequently can be handled by the disciplinary mechanism in the school. Corrective measures which the school should undertake, however, depend on the extent of the school's resources for remediating the situation in the best interests of all students.	Fighting (simple) Vandalism (minor) Possession/use of unauthorized substances Stealing Threats to others
IV. Acts which result in violence to another's person or property or which pose a direct threat to the safety of others in the school. These acts are clearly criminal and are so serious that they always require administrative actions which result in the immediate removal of the student from school, the intervention of law enforcement authorities and action by the board of school directors.	Unmodified LEVEL III misconducts Extortion Bomb threat Possession/use/transfer of dangerous weapons Assault/battery Vandalism Theft/possession/sale of stolen property Arson Furnishing/selling/possession of unauthorized substances

DISCIPLINARY RESPONSES TO STUDENT MISCONDUCT

DISCIPLINARY RESPONSE PROCEDURES	RESPONSE OPTIONS
There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior. Repeated misbehavior requires a parent/teacher conference; conference with the counselor and/or administrator. A proper and accurate record of the offenses and disciplinary action is maintained by the staff member.	Verbal reprimand Special assignment Behavioral contract Counseling Withdrawal of privileges Time-out room Strict supervised study Demerits Detention
The student is referred to the administrator for appropriate disciplinary action. The administrator meets with the student and/or teacher and effects the most appropriate response. The teacher is informed of the administrator's action. A proper and accurate record of the offense and the disciplinary action is maintained by the administrator. A parental conference is held.	Teacher/schedule change Modified day Behavior modification Time-release program Social probation Peer counseling Referral to outside agency Paddling In-house suspension Transfer
The administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the consequences. The administrator meets with the student and confers with the parent about the student's misconduct and the resulting disciplinary action. A proper and accurate record of offenses and disciplinary actions is maintained by the administrator.	Temporary removal from class Social adjustment classes Homebound instruction Alternative program Temporary out-of-school suspension Full out-of-school suspension
The administrator verifies the offense, confers with the staff involved and meets with student. The student is immediately removed from the school environment. Parents are notified School officials contact law enforcement agency and assist in prosecuting offender. A complete and accurate report is submitted to the superintendent for board action. The student is given a full due process hearing before the board.	Expulsion Alternative schools Other board action which results in appropriate placement (see discussion of expulsion issue)

Levels of Misconduct

In reviewing this chart, it quickly becomes apparent that it represents a continuum of misbehaviors based on the seriousness of the act and the frequency of occurrence. Therefore, the infractions classified at LEVEL I are relatively minor and involve acts which only minimally interfere with the orderly conduct of the educational process. Often these LEVEL I misbehaviors take the form of simple classroom disturbances which do not disrupt the learning of other students or which involve minor infractions of general school rules and represent no threat to the health and safety of others. By contrast, LEVEL IV misconducts involve criminal acts and are so serious that they represent a direct and immediate threat to the welfare of other individuals. These acts (Level IV) always require the intervention of law enforcement authorities.

At the two levels between these extremes, the seriousness of the misconduct remains a primary classification factor, but the frequency of occurrence also plays a significant role in determining the most appropriate disciplinary response. For example, minor misconduct appropriately classified at LEVEL I could move to LEVEL II and subsequently to LEVEL III if the act persisted after intervention had been attempted at a lower level. Although the seriousness of the infraction remains the same, the frequency of occurrence requires that it be classified at a higher level where a different set of disciplinary responses could be applied.

In terms of seriousness, most LEVEL II misbehaviors could probably be characterized as "victimless infractions," since they generally do not involve the welfare of others but could have a serious effect on the student's own education. On the other hand, misconducts in LEVEL III take on added gravity because they frequently involve a violation of the personal or property rights of others.

Disciplinary Response Procedures and Response Options

Accompanying the levels of misconduct in the chart are the disciplinary procedures and response options suggested for use at each level. Procedures are viewed as minimal actions which must take place at each level. Options, on the other hand, include the range of disciplinary alternatives which might appropriately be applied to the infraction.

By way of illustration, LEVEL III infractions call for several procedural actions, one of which is a disciplinary conference with the parent and temporary suspension of the student.

Along with these procedures is a list of response options which may be applied in certain situations to correct or punish any act of misconduct in that level. Since the response options included in the chart have been selected to fit the types of misbehaviors, they are arranged to begin with those which are the least punitive and progress through the levels to those which are more severe. It should also be noted that the degree of formality, flexibility and discretion exercised in applying these disciplinary responses also changes markedly from LEVEL I to LEVEL IV. As the act or infraction requiring discipline becomes more serious, the response options take on a more formal and prescribed character.

Depending upon the circumstances involved, it will sometimes be appropriate to use options from a lower level to deal with higher level infractions. The converse is not recommended. Higher level options should not be used to respond to lower levels of student misconduct. More severe options should be used for less serious infractions only when the offense is repeated or when lower level options fail to correct the misconduct. In the case of LEVEL IV, the gravity of the misconduct and the requirement to involve law enforcement authorities serve to limit the number of options available to the administrator and, in large part, preclude the use of most options prescribed for the lower levels.

Other Dimensions of the Structure

In addition to the misconduct/response classification scheme, the accompanying structure has several other important dimensions. Two of these are not readily apparent in reading the chart and therefore need to be highlighted.

1. Staff Responsibilities

In order for the misconduct/response structure to be translated into an effective discipline system, each member of the school staff must thoroughly understand the structure and must accept responsibility for making the system work. Teachers who assume that their role is strictly to teach and that student discipline is someone else's job are as much in error as administrators who hold that the good teacher can handle all problems of student discipline without any outside help.

Although every staff member plays a part in the overall discipline system, the chart offers implicit direction on who should have primary responsibility for the disciplinary response at each level. At LEVEL I, for example, responsibility falls mainly on the teacher, since misbehavior at this level usually occurs in the classroom or other settings under the teacher's control or supervision. Occasionally, the teacher will have to call on other people, such as the pupil personnel service staff, for assistance, but the responses at this level usually do not require intervention by the administration.

Infractions at LEVELS II and III almost always require that a building administrator be involved in the response. At these levels, misbehaviors are serious enough, or occur often enough, to demand special attention from someone other than the teacher. In addition, acts such as truancy or class-cutting require the use of responses which are usually not available to instructional staff. Very often, support staff are involved at levels II and III, as are resource persons from community agencies.

Although the building principal would almost always be involved in responding to LEVEL IV infractions, these are so serious and the discipline response so severe that they require the direct involvement of the chief school administrator, a special disciplinary committee or the board of school directors. As noted earlier, offenses at

Level IV usually require a response which exceeds the capacity of the school discipline system and almost always require involvement by law enforcement authorities.

2. Discipline Referral and Record Keeping

The chart does not include information on referral and record-keeping procedures which are essential to the effective use of this four-level structure. However, certain assumptions are made about these procedures in the ways the levels are defined. For example, some type of referral process would be required to systematically bring unresolved LEVEL I misconducts to the attention of the administration for action at LEVEL II. A disciplinary referral of this type (from staff to administrator) would typically contain a statement of the problem and its possible cause, the steps which have been taken to correct the misbehavior and any recommendations for action by the administrator.

Similar referral and record-keeping procedures would need to be established for each level. The systematic development and use of discipline referrals and records insures that an accurate history of the problem will be available as part of any hearing or appeal process. Further, the use of a well organized discipline record system will help increase the chances that all options have been exhausted in the effort to change a student's behavior, and that staff and faculty have played their appropriate part in the process.

III. ISSUES AND RECOMMENDATIONS

The structure for disciplinary responses to student misconduct is intended to be more than a mere illustration or simple classification scheme. It was designed to be used as a foundation for the development of a total disciplinary system within a school district, with enough flexibility to meet a variety and range of problems which exist from district to district.

Developing a structure with both wide applicability and adequate specificity is difficult. No scheme, however carefully conceived, could cover all real and potential disciplinary problems which may arise in the schools of the Commonwealth. Recognizing this limitation, the following section presents a brief overview of several discipline-related issues and recommends procedures which could be used in conjunction with the misconduct/response structure.

Suspensions

1. Issue

Out-of-school suspension has been, and continues to be, one of the most widely used disciplinary responses to student misconduct. Heavy reliance on this form of punishment persists in the face of mounting public concern over its effectiveness in correcting behavior problems and despite certain restrictions resulting from recent court actions and precedent.

Regarding the general use of out-of-school suspension, educators appear to agree on three points.

- First, they concur that this disciplinary response is probably overused and often applied to situations where the seriousness of the misconduct does not merit removing the student from school.
- Second, they affirm the long acknowledged fact that this disciplinary response has little effect on many students. Repeated use of out-of-school suspension with the same students often shows that it fails to correct the misconduct for which it is being applied.
- Third, educators feel that the out-of-school suspension must be retained as one disciplinary response option. They note that out-of-school suspensions are quite effective in deterring and remediating certain student misbehaviors and that they are essential in certain situations as a "cooling off" procedure or as a way of removing a threat to the safety and welfare of other students.

2. Recommendations

a) Each school district should examine its policy and practice relating to the use of out-of-school suspensions. This review should attempt to determine if the infractions or misbehaviors warrant a student's removal from school. As a rule of thumb, out-of-school suspensions are most appropriately used for misbehaviors which disrupt the educational process or which pose a threat to the safety and welfare of others. This form of discipline might be employed for less serious offenses which recur, but seldom in response to the first instance of a lower level misbehavior.

This review might also assess the degree to which out-of-school suspensions are effective in reducing or eliminating the incidence of student misconduct. Where suspensions are repeated and are obviously having little impact, some other disciplinary response should be sought.

b) Where out-of-school suspensions are used frequently or are found to be ineffective, the district should create an in-school suspension option. While in-school suspension differs from the regular school program in that students stay in one place rather than moving from class to class, and lose privileges, such as participation in intramurals, it provides students with planned and supervised instruction in the basic subjects. Since an in-school suspension program allows the student to remain in school and maintain a supervised program of studies, this response is less punitive than removing the student from school and, therefore, is appropriate for a wider range of infractions.

Repeated Infractions

1. Issue

Every school discipline system must be able to respond to the problem of repeated misbehaviors by the same student. Often these infractions are relatively minor but take on greater significance because they persist after disciplinary action has been taken. Administrators usually respond to this situation in one of two ways.

First, they may deal with the repeated misconduct by applying the same disciplinary response over and over, often in progressively larger doses. For example, a student may receive five or six suspensions for repeated infractions of the smoking rules, or accumulate 40 or 50 nights of detention as a result of continued tardiness. Very often, the penalty accumulates to a point where it cannot be enforced.

Second, they may attack the problem by applying progressively harsher responses to each recurrence of the misbehavior. In this way the responses rapidly grow in severity to a point that they no longer bear any relationship to the seriousness of the offense.

We have attempted to provide guidance on the issue of repeated infractions in the misbehavior/response structure, by providing for the reclassification of misbehaviors which continue after intervention. However, additional recommendations on this issue may be useful.

2. Recommendations

a) Each district should consider establishing limits on the number of times a disciplinary response, such as detention or suspension, will be used with a student. Responses which fail to correct the misbehavior should be discontinued. When these limits are reached, other prescribed corrective actions should be initiated. Repeated offenders would merit more severe responses, but some cut-off point should be determined so that the most punitive actions are reserved for the most serious acts and not applied to cases of chronic minor misbehavior.

b) To deal effectively with repeated infractions, a wide range of disciplinary options at each level of conduct must be available. Each school district should examine its range to deal with chronic offenders. Where these options are limited, an effort should be made to expand the number. In addition, schools should develop procedures for the sequential application of these options based on the frequency of the misbehavior. This procedure would prescribe the disciplinary response which would be appropriate for the first, second or third occurrence of the infraction.

Dealing with Criminal Violations (LEVEL IV)

1. Issue

There is considerable confusion about the role of the school in handling misconduct which is clearly criminal. Some educators attempt to deal with very serious offenses by using the disciplinary mechanisms of the school without involving law enforcement agencies. Others take no action against the student and delegate full responsibility to law enforcement agencies. They feel that disciplinary action by the school against students who are turned over to the authorities for legal action might constitute "double jeopardy." In these cases, students awaiting a hearing or a trial remain unpunished by the school. Allowing these students to remain in their regular classes creates a situation which could result in a threat to the health and safety of others in the school as well as a general deterioration of student morale and discipline.

2. Recommendations

a) Due to the seriousness of LEVEL IV offenses, the student's continued presence in school would constitute a threat to other persons and would have a negative impact on the general morale of the school. Verified LEVEL IV misconduct should result in the immediate removal of the student from the school, pending a hearing before the board.

b) It is recommended that schools report these offenses to the appropriate law enforcement agency and assist these agencies in investigating and prosecuting the offender. In cases of assault and/or battery on a student or school employee, it is suggested that these persons press charges. The district should encourage this practice and give full support to the aggrieved individual in the legal pursuit of the matter.

c) A student charged with LEVEL IV misconduct should be given a full due process hearing before the board, which should take prompt and appropriate action. Since disciplinary action by the school in criminal matters does not constitute "double jeopardy," the board need not await the disposition of the hearing or trial.

Expulsion

1. Issue

Expulsion is generally considered to be the most severe penalty the school can impose. Since expulsion involves the termination of a student's educational right, full due process is required and the action is often subject to challenge in the courts. Since the adoption of the State Board Regulations on Student Rights and Responsibilities, there has been a growing reluctance on the part of some districts to use the disciplinary action of expulsion. At the same time, however, there appears to be a sufficient number of acts of misconduct which would be serious enough to merit this action. Typically, in districts which do not have alternative programs to deal with students who have committed LEVEL IV infractions, or who pose a clear danger to the welfare and safety of others, the student is allowed to remain in school or is expelled without any provisions for further education.

2. Recommendations

a) Districts should develop discipline alternatives which make it possible to remove dangerous students from the school program and provide them with some form of education. These alternatives could be used in place of expulsion and also offered to students who have been expelled and are unable to secure an education.

b) Where students commit serious acts of misconduct which warrant their removal from school to protect the welfare of others, and where no alternative forms of discipline are available, the district has an obligation to initiate expulsion action.

Restriction on Extracurricular Activities

1. Issue

In responding to student misconduct, schools frequently use a disciplinary response which prevents the offending student from participating in social functions of the school or in extracurricular or cocurricular activities. This form of disciplinary response is used to deal with a wide range of student misbehavior, involving both serious and minor infractions.

Parents are often strenuously opposed to this form of sanction and assert that the student's educational rights cover all activities conducted by the school. They further contend that restricting the student from participation in activities, such as athletics, could jeopardize the student's chances for furthering his or her education and could have a decided impact on career opportunities later in life.

Where these restrictions are practiced, they are frequently not supported by the total staff. Faculty sponsors of extracurricular activities are quick to point out that these prohibitions only penalize students who have chosen to engage in an activity. Students who do not participate in social or extracurricular functions have to be punished differently for the same offense. The critics of this disciplinary practice urge that restrictions on student participation in these activities be limited to offenses directly involving the social or extracurricular function, not as a penalty for unrelated misconduct.

2. Recommendations

a) Participation in social or extracurricular activities should be considered a privilege rather than a right. Since individuals who engage in these activities frequently have the honor of representing their school before the public, the school has an obligation to see that these students exhibit the type of behavior and responsibility befitting this privilege.

b) Although these disciplinary restrictions may be particularly effective in deterring student misconduct, a school should limit their use to severe offenses which require stringent disciplinary action. In addition, a school should publish a list of misbehaviors which will result in this kind of restriction so that students, parents and the entire school community are aware of the consequences of certain types of misconduct.

c) School personnel should only impose restrictions on students participating in social or extracurricular activities where this penalty is clearly provided for and regulated by school policy. Even then, great care should be taken to see that this response is uniformly and consistently applied to all offending students. In developing this policy, the administration and the board should seriously consider the ramifications of this form of discipline on the student's overall development.

Responsibility and Discipline for Students Beyond Compulsory School Age

1. Issue

In Pennsylvania, 17 has been designated as the age at which students are no longer required by law to attend school. This age, however, is in no way intended to delimit the student's right to an education, which may be exercised until the individual reaches the age of 21.

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The four years between age 17 and 21, therefore, represent a period in which students remain in school not because they are compelled to do so, but rather because they choose to be there.

A school has a right to expect that as students approach the age of 17, they will exhibit more mature behavior and greater accountability for their actions. New rights and privileges acquired as the student approaches adulthood carry with them an added measure of responsibility.

There are always, however, a small minority of older students who fail to accept this responsibility. Some of the disciplinary actions available for younger students are inappropriate for older ones, especially those actions which might be applied in cases of chronic nonattendance, tardiness or violations of a less serious nature.

In short, this issue may be summarized in the form of a question. Do the school's rules of student conduct and discipline apply equally to students who are 17 years old and older and are, therefore, beyond compulsory attendance age?

2. Recommendations

a) School rules and disciplinary procedures should apply equally to all students. Even though students over the age of 17 are not required to be in school, they are entitled to all of the due process guarantees available to other students.

b) In dealing with students of compulsory attendance age, the school has the obligation to exhaust all other disciplinary options before the student is excluded from school. For older students, who are expected to assume greater responsibility for their behavior, frequent or serious misconduct of the same type could warrant action by the board to remove the individual from school.

c) Where schools hold higher expectations for the behavior of older students or apply disciplinary options in a different manner for this group, these facts should be clearly conveyed to students and parents.

Consistency and Fairness in Discipline

1. Issue

Certain obvious parallels exist between our criminal justice system and the discipline system in our schools. Whether they are administered in the courtroom by the judge or in the classroom by the teacher, both systems attempt to bring about responsible behavior by carefully defining unacceptable acts and by prescribing their consequences.

The common elements shared by the criminal justice and school discipline systems give rise to similar problems. One is the issue of consistency. A major area of controversy in our judicial system centers around the broad discretion allowed in the sentencing of offenders. This considerable latitude not only results in identical violations receiving very different punishments, but also produces what many feel are mismatches between the seriousness of the offense and the severity of the penalty.

It is not uncommon to hear students and parents criticize the application of discipline in the schools on the same basis. They assert that the rules for student conduct are ambiguous and inconsistently administered and that the penalties for breaking school rules are not applied equally to all students.

Even though the concept of equal justice for all is often difficult to accomplish in the school setting, every effort should be made to assure that an evenhanded, reasonable and consistent approach to discipline is always practiced. These factors are essential if the system is to command the respect and confidence necessary to make it work.

2. Recommendations

There is a need for teachers and administrators to exercise discretion in dealing with student misconduct. A rigid system of mandatory discipline responses for certain offenses seldom proves workable because it fails to recognize the specific circumstances surrounding some instances of misconduct. On the other hand, discipline administered on a case-by-case basis with considerable flexibility of response is often inconsistent, inappropriate and inequitable.

The following recommendations may be useful in considering the limitations in either of these approaches to discipline:

a) Conduct and discipline codes should explicitly define unacceptable student behavior and should carefully describe the disciplinary actions attached to each incident of misconduct. Where several options might be appropriate for the same type of offense, the circumstances under which each would be applied should be noted.

b) Fixed responses should be prescribed for certain offenses. The more serious kinds of misconduct should generally elicit the same type of response in each instance. Discretion in administering the recommended punishment should be applied only in unusual circumstances.

c) Every effort should be made to avoid situations which imply preferential treatment in the administration of discipline. Policies and practices should apply equally to all students.

d) All school staff members should know the student conduct and discipline code and should use it consistently in all cases of student misconduct. Violations of the code should never be ignored, and all offenders should be dealt with in a manner consistent with the code.

e) Each district has the responsibility for communicating its discipline and conduct cOde to all staff members, students and parents. It is essential that students and parents, particularly, understand that a code exists, and what it contains, not only from a practical standpoint, but also as good public relations. Communicating through student handbooks, district parent newsletters, special school events such as parent-teacher nights, newspaper articles and features using other media forms are all appropriate ways of keeping the public informed.

APPENDICES

APPENDIX A

A SUMMARY OF CHANGES IN CHAPTER 12, STUDENT RIGHTS AND RESPONSIBILITIES

Changes in the regulations governing student rights and responsibilities (Chapter 12) were enacted by the State Board of Education and became effective on February 18, 1984. These changes were summarized in a Commissioner's Memorandum dated March 13, 1984 (File No. CO-26-84). The portion of this memorandum listing the major changes is reproduced below:

1. Section 12.3 School Rules, now contains a provision which requires the district to adopt and publish a code of student conduct which incorporates student rights and responsibilities and to distribute this publication to students and parents.

2. Section 12.6 Exclusions From School, has been changed for clarity by the elimination of the terms "temporary and full suspension" but the due process provisions associated with these suspensions have been retained.

3. Section 12.7 Exclusion From Class(es) - In-School Suspension, has been added which provides for an informal hearing for students placed in an in-school suspension for over ten days and requires the school to make some provision for the student's education during that period of an in-school suspension.

4. Section 12.6(e)(2) makes the parent responsible for notifying the school in writing within 30 days if they are unable to provide an education for an expelled student.

5. Section 12.8 Hearings, has been amended to extend to five days from three, the period in which an informal hearing must be offered to the parent.

6. Section 12.15 the non-binding Recommended Guidelines of the previous Regulations have been eliminated.

7. Section 12.31 Pupil Records, has been changed to eliminate the need for districts to submit records policies to the Department for approval every three years.

Commonwealth of Pennsylvania

STATE BOARD OF EDUCATION

APPENDIX B

REGULATIONS
OF THE
STATE BOARD OF EDUCATION OF PENNSYLVANIA

CHAPTER 12
STUDENTS

(Approved September 13, 1974; Section 12.31 and 12.32 approved July 14, 1974 and amended July 15, 1977; Chapter amended March 10, 1983 - effective February 18, 1984)

STUDENT RIGHTS AND RESPONSIBILITIES

Section 12.1. Free education and attendance.
12.2. Student responsibilities.
12.3. School rules.
12.4. Discrimination.
12.5. Corporal punishment.
12.6. Exclusions from school.
12.7. Exclusion from classes--in-school suspension.
12.8. Hearings.
12.9. Freedom of expression.
12.10. Flag Salute and the Pledge of Allegiance.
12.11. Hair and dress.
12.12. Confidential communications.
12.13. (Reserved).
12.14. Searches.
12.15. (Reserved).

PUPIL RECORDS

12.31. General requirements.
12.32. Elements of the plan.
12.33. Guidelines.

CHAPTER 12 - 2

§12.1. Free education and attendance.

(a) All persons residing in this Commonwealth between the ages of 6 and 21 years are entitled to a free and full education in the Commonwealth's public schools.

(b) Parents or guardians of all children between the ages of 8 and 17 are required by the compulsory attendance law to ensure that their children attend an approved educational institution, unless legally excused. Students who have not graduated may not be asked to leave school merely because they have reached 17 years of age if they are fulfilling their responsibilities as students. A student may not be excluded from the public schools nor from extracurricular activities because of being married or pregnant.

§12.2. Student responsibilities.

(a) Student responsibilities include regular school attendance, conscientious effort in classroom work, and conformance to school rules and regulations. Most of all, students share with the administration and faculty a responsibility to develop a climate within the school that is conducive to wholesome learning and living.

(b) No student has the right to interfere with the education of his fellow students. It is the responsibility of each student to respect the rights of teachers, students, administrators, and all others who are involved in the educational process.

(c) Students should express their ideas and opinions in a respectful manner.

(d) It is the responsibility of the students to conform with the following:

(1) Be aware of all rules and regulations for student behavior and conduct themselves in accord with them. Students should assume that, until a rule is waived, altered or repealed in writing, it is in effect.

(2) Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property.

(3) Dress and groom to meet fair standards of safety and health, and not to cause substantial disruption to the educational processes.

(4) Assist the school staff in operating a safe school for all students enrolled therein.

(5) Comply with Commonwealth and local laws.

(6) Exercise proper care when using public facilities and equipment.

(7) Attend school daily and be on time at all classes and other school functions.

(8) Make up work when absent from school.

(9) Pursue and attempt to complete satisfactorily the courses of study prescribed by Commonwealth and local school authorities.

(10) Report accurately and not use indecent or obscene language in student newspapers or publications.

§12.3. School rules.

(a) The school board has the authority to make reasonable and necessary rules governing the conduct of students in school. The rulemaking power, however, is not unlimited; it must operate within statutory and constitutional restraints. A school board has only those powers which are enumerated in the statutes of this Commonwealth, or which may reasonable be implied or necessary for the orderly operation of the school.

(b) School boards may not make rules which are arbitrary, capricious or outside their grant of authority from the General Assembly. Their rules must stand the test of fairness and reasonableness. A rule is generally considered reasonable if it uses a rational means of accomplishing some legitimate school purpose.

(c) Each board of school directors shall adopt a code of student conduct which shall include policies governing student discipline and a listing of student rights and responsibilities as outlined in this chapter. This conduct code shall be published and distributed to students and parents. Copies of the code shall also be available in each school library.

12.4. Discrimination.

Consistent with the Pennsylvania Human Relations Act (43 P.S. §§951-963), no student shall be denied access to a free and full public education on account of race, religion, sex, national origin, or handicap.

12.5. Corporal punishment.

(a) Corporal punishment, namely physically punishing a student for an offense, may be administered by teachers and school officials to discipline students when authorized by, and in accordance with policies and guidelines established by, the board of school directors.

(b) Reasonable force may be used but under no circumstances shall a student be punished in such a manner as to cause bodily injury.

(c) Where corporal punishment is authorized, school authorities shall notify all parents of this policy. Corporal punishment may not be administered to a child whose parents have notified school authorities that such disciplinary method is prohibited.

(d) In situations where a parent or school board prohibits corporal punishment, reasonable force may still be used by teachers and school authorities under any of the following circumstances:

(1) To quell a disturbance.

(2) To obtain possession of weapons or other dangerous objects.

(3) For the purpose of self-defense.

(4) For the protection of persons or property.

(e) Corporal punishment should never be administered in the heat of anger. It should be recognized that corporal punishment always contains the danger of excessiveness. No disciplinary action should exceed in degree the seriousness of the offense. Students shall not be required to remove clothing when being punished.

§12.6. Exclusions from school.

(a) The board of school directors shall define and publish the types of offenses that would lead to exclusion from school. Exclusions affecting certain exceptional students shall be governed by 22 Pa. Code §§13.62 and 341.91 (relating to right to education and disciplinary exclusions of certain handicapped students from special education placement).

(b) Exclusion from school may take the form of suspension or expulsion.

(1) Suspension is exclusion from school for a period of from 1 to 10 consecutive school days.

(i) Suspensions may be given by the principal or person in charge of the public school.

(ii) No student shall be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.

(iii) The parents and the superintendent of the district shall be notified immediately in writing when the student is suspended.

(iv) When the suspension exceeds 3 school days, the student and parent shall be given the opportunity for an informal hearing consistent with the requirements set forth in §12.8(c) (relating to hearings).

(v) Suspensions may not be made to run consecutively beyond the 10 school day period.

(vi) Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by the board of school directors.

(2) Expulsion is exclusion from school by the board of education for a period exceeding 10 school days and may be permanent expulsion from the school rolls. All expulsions require a prior formal hearing under §12.8 (relating to hearings).

(c) During the period prior to the hearing and decision of the board of school directors in an expulsion case, the student shall be placed in his normal class except as set forth in subsection (d).

(d) If it is determined after an informal hearing that a student's presence in his normal class would constitute a threat to the health, safety, morals or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than 10 school days, if the formal hearing is not unreasonably delayed. Any student so excluded shall be provided with alternative education which may include home study.

(e) Students who are less than 17 years of age are still subject to the compulsory school attendance law even though expelled, and they must be provided an education.

(1) The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, through tutorial or correspondence study or through another educational program approved by the district's superintendent.

(2) If the parents or guardian are unable to provide for the required education, they must within 30 days submit to the school district written evidence so stating. The district then has the responsibility to make some provision for the student's education. If 30 days pass without the district receiving satisfactory evidence that the required education is being provided to the student, it must recontact the parent and, pending the parents' or guardian's provision of such education, the district must make some provision for the student's education or proceed under paragraph (3) or do both.

(3) If the approved educational program is not complied with, the school district may take action in accordance with Chapter 63 of the Juvenile Act (42 Pa C.S. §§6301-6308), to ensure that the child will receive a proper education. See §12.1(b) (relating to free education and attendance.)

§12.7. Exclusion from classes--in-school suspension.

(a) No student may receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective.

(b) Communication to the parents or guardian shall follow the suspension action taken by the school.

(c) When the in-school suspension exceeds 10 consecutive school days, an informal hearing with the principal shall be offered to the student and the student's parent or guardian prior to the 11th school day in accordance with the procedures in §12.8 (relating to hearings).

(d) The student's school district has the responsibility to make some provision for the student's education during the period of the in-school suspension.

§12.8. Hearings.

(a) Education is a statutory right, and students must be afforded all appropriate elements of due process if they are to be excluded from school. In a case involving a possible expulsion, the student is entitled to a formal hearing, which is a fundamental element of due process.

(b) A formal hearing is required in all expulsion actions. This hearing may be held before the board of school directors or a duly authorized committee of the board, or a qualified hearing examiner appointed by the board. Where the hearing is conducted by a committee of the board or a hearing examiner, a majority vote of the entire school board is required to expel a student.

(1) The following due process requirements are to be observed with regard to the formal hearing:

(i) Notification of the charges shall be sent to the student's parents or guardian by certified mail.

(ii) Sufficient notice of the time and place of the hearing must be given.

(iii) The hearing shall be held in private unless the student or parent requests a public hearing.

(iv) The student has the right to be represented by counsel.

(v) The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.

(vi) The student has the right to request that any such witnesses appear in person and answer questions or be cross-examined.

(vii) The student has the right to testify and present witnesses on his own behalf.

(viii) A record must be kept of the hearing, either by a stenographer or by tape recorder. The student is entitled, at the student's expense, to a copy of the transcript.

(ix) The proceeding must be held with all reasonable speed.

(2) Where the student disagrees with the results of the hearing, recourse is available in the appropriate court of the Commonwealth. If it is alleged that a constitutional issue is involved, the student may file a claim for relief in the appropriate Federal district court.

(c) The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

(1) The informal hearing is meant to encourage the student's parents or guardian to meet with the principal to discuss ways by which future offenses can be avoided.

(2) The following due process requirements are to be observed in regard to the informal hearing:

(i) Notification of the reasons for the suspension shall be given in writing to the parents or guardian and to the student.

(ii) Sufficient notice of the time and place of the informal hearing shall be given.

(iii) A student has the right to question any witnesses present at the hearing.

(iv) A student has the right of the student to speak and produce witnesses on his own behalf.

(v) The district shall offer to hold the informal hearing within the first 5 days of the suspension.

§12.9 Freedom of expression.

(a) The right of public school students to freedom of speech was affirmed by the United States Supreme court in Tinker v. Des Moines Community School District, 393 U.S. 503 (1969).

(b) Students have the right to express themselves unless such expression materially and substantially interfers with the educational process, threatens immediate harm to the welfare of the school or community, encourages unlawful activity, or interferes with another individual's rights.

(c) Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands, and other means of common communication, provided that the use of public school communications facilities shall be in accordance with the regulations of the authority in charge of those facilities.

(1) Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full meaning of their expression.

(2) Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

(d) Identification of the individual student or at lease one responsible person in a student group may be required on any posted or distributed materials

(e) School officials may require students to submit for prior approval a copy of all materials to be displayed, posted or distributed on school property.

(f) Bulletin boards shall conform with the following:

(1) School authorities may restrict the use of certain bulletin boards.

(2) Bulletin board space shall be provided for the use of students and student organizations.

(3) School officials may require that notices or other communications be officially dated before posting, and that such materials be removed after a prescribed reasonable time to assure full access to the bulletin boards.

(g) School newspapers and publications shall conform with the following:

(1) Students have a right and are as free as editors of other newspapers to report the news and to editorialize within the provisions in paragraphs (4) and (5).

(2) School officials shall supervise student newspapers published with school equipment, remove obscene or libelous material and edit other material that would cause a substantial disruption or interference with school activities.

(3) School officials may not censor or restrict material simply because it is critical of the school or its administration.

(4) Prior approval procedures regarding copy for school newspapers shall identify the individual to whom the material is to be submitted and shall establish a limitation on the time required to make a decision. If the prescribed time for approval elapses without a decision, the material shall be considered authorized for distribution.

(5) Students who are not members of the newspaper staff shall have access to its pages. Written criteria for submission of material by nonstaff members shall be developed and distributed to all students.

(h) The wearing of buttons, badges, or armbands shall be permitted as another form of expression within the restrictions listed in subsection (c).

(i) School officials may set forth the time and place of distribution of materials so that distribution would not materially or substantially interfere with the requirements of appropriate discipline in the operation of the school.

(1) A proper time and place set for distribution is one which would give the students the opportunity to reach fellow students.

(2) The place of such activity may be restricted to permit the normal flow of traffic within the school and at exterior doors.

(j) School officials should adopt and publish guidelines for student use of school facilities and equipment.

(k) The constitutional right of freedom of speech guarantees the freedom of public school students to publish materials on their own.

(1) The school has no responsibility to assist students or to provide facilities in the publishing of such materials.

(2) The students themselves have sole responsibility for any statements published.

(3) Approval procedures must be followed prior to distribution or display of materials on school property. See subsection (i).

§12.10. Flag Salute and the Pledge of Allegiance.

It is the responsibility of every citizen to show proper respect for his country and its flag.

(1) Students may decline to recite the Pledge of Allegiance and may refrain from saluting the Flag on the basis of personal belief or religious convictions.

(2) Students who choose to refrain from such participation shall respect the rights and interest of classmates who do wish to participate.

§12.11. Hair and dress.

(a) Students have the right to govern the length or style of their hair including facial hair. Any limitation of this right shall include evidence that the length or style of hair causes a disruption of the educational process or constitutes a health or safety hazard. Where length or style of the hair presents a problem some types of covering should be considered.

(b) School officials may not impose limitations on dress unless the attire causes the disruption of the educational process or constitutes a health or safety hazard.

(c) Students may be required to wear certain types of clothing while participating in physical education classes, shops, extra-curricular activities, or other situations where special attire may be required to insure the health or safety of the student.

(d) Students have the responsibility to keep themselves, their clothes, and their hair clean. School officials may impose limitations on student participation in the regular instructional program where there is evidence that the lack of cleanliness constitutes a health hazard.

§12.12. Confidential communications.

(a) Use of a student's confidential cummunications to school personnel in legal proceedings is governed by statutes and regulations appropriate to the proceeding. See, for example, 42 Pa. C.S. §5945 (relating to confidential communications to school personnel).

(b) Information received in confidence from a student may be revealed to the student's parents, the principal or other appropriate authority where the health, welfare or safety of the student or other persons is clearly in jeopardy.

§12.13. (Reserved).

§12.14. Searches.

School authorities may search a student's locker and sieze any illegal materials. Such materials may be used as evidence against the student in disciplinary proceedings. Prior to a locker search students shall be notified and given an opportunity to be present. However, where school authorities have a reasonable suspicion that the locker contains materials which pose a threat to the health, welfare and safety of students in the school, student lockers may be searched without prior warning.

§12.15. (Reserved).

PUPIL RECORDS

§12.31. General requirements.

(a) The governing board of every school district, intermediate unit and area vocational-technical school shall adopt a plan for the collection, maintenance and dissemination of pupil records and submit the same to the Department for approval.

(b) Copies of the approved plan shall be maintained by the local educational agencies and updated as required by changes in State or Federal law. Copies of the updated plan shall be submitted to the Department only upon the request of the Secretary.

§12.32. Elements of the plan.

(a) The plan for pupil records shall conform to §12.33 (relating to guidelines), except that a school district may modify §12.33 with the approval of the Secretary, to conform with local policy.

(b) The plan shall establish policies on pupil records consistent with the minimum requirements of the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. §1232g) and in 34 C.F.R. Part 99 (relating to privacy rights of parents and students).

§12.33. Guidelines.

(a) The full text of the Guidelines for the Collection, Maintenance, and Dissemination of Pupil Records appears at 4 Pa.B. 1092.

(b) Portions of Guidelines for the Collection, Maintenance, and Dissemination of Pupil Records are attached hereto as Exhibit A and made a part of this regulation.

APPENDIX C

SUGGESTIONS FOR DEVELOPING A LOCAL STUDENT DISCIPLINE AND CONDUCT CODE

Since there is little consensus among educators on the sociological and educational factors which contribute to a deterioration of student conduct and a breakdown of discipline in some schools, it is not surprising that there are many opinions on what needs to be done to encourage positive and responsible student behavior.

There is general agreement on the need for development and application of a soundly conceived comprehensive code for student conduct and discipline.

The first priority of this publication is to assist school districts in developing a set of guidelines which will make it possible for them to prepare their own codes. The format of this document suggests only a framework around which more complete local policies and practices could be constructed to meet the unique needs and expectations of each school community.

While encouraging each district to prepare a student discipline and conduct code, we do not labor under the illusion that this activity represents the ultimate answer to the problem of student discipline. In a situation where the causes are many and the cures are few, and where progress is realized in small increments, the development of a constructive document on discipline and conduct is one activity which can be effective in a variety of local settings.

Several recommendations are required to improve the chances of local districts in their efforts if the guidelines are to have the desired impact.

1. Each school district is urged to review its existing discipline system and to frame a code of student conduct consistent with the basic concepts contained in this publication. Consistency should be balanced, however, with the demands of the local situation so that the integrity of the local school and the relevancy of the discipline code will be maintained.

2. In framing the new conduct code, the entire school community should be involved, including administrators, counselors, teachers, students and parents. Above all, real participation by the school's faculty is an essential ingredient in the overall success of the project.

3. The finished product should not be reduced to a catalogue of "thou shalt nots" but should also stress positive behaviors expected of the responsible student. Practical standards rather than idealistic generalizations should be the focus.

4. The board should adopt the code as school policy. Prior to board adoption, however, the document should be presented to the school solicitor for review and should be broadly circulated to the school community and parents for its reaction.

5. Upon adoption, the code should be made available to all members of the school community and parents in order to familiarize them with the contents of the document and the lines of authority in the school's discipline system. A full program of staff in-service training should be held prior to the code's implementation.

In order to assist school districts develop or review policies, a checklist is included. If followed, it would provide a foundation for a fair, firm, and consistent system of administering discipline.

APPENDIX D

DISCIPLINE CODE CHECKLIST

	Date Completed	Person Responsible	Not Applicable
1. Collect all discipline policies, decisions rules and regulations which have been made over the years.			
2. Review your policies and related material in light of current Pennsylvania laws and State Board Regulations.			
3. Produce a list of currently acceptable policies, policies needing revision, and areas of concern for which no policy presently exists.			
4. Does the list include these areas?			

	Yes	No
a. corporal punishment		
b. exclusions from school		
c. in-school suspensions		
d. hearings		
e. freedom of expression		
f. flag salute and Pledge of Allegiance		
g. hair and dress		
h. confidential communications		
i. pregnancy		
j. searches		
k. drugs and other substances		
l. bus conduct		
m. bicycle use		
n. motor vehicle use		
o. playground		

	Date Completed	Person Responsible	Not Applicable
5. This is an appropriate time in the process to report back to the full board and get their ideas on which of the areas of concern they want policy written for and perhaps some idea of how the policy should be handled.			
6. Write, revise and copy policy for all areas of concern to produce a complete discipline policy.			
7. Present for action to full school board. If rejected, recycle to Step 3 or 6. If accepted, continue with Step 8.			
8. Administrators prepare appropriate regulations to implement the policy. If directed by board, present for approval. If not, present for information purposes and begin implementation.			
9. Publish both the board policy and the regulations to all parts of the school community including parents, to social service groups and any other organizations who need this information to function optimally, and, if desired, to the community at large.			
10. Make plans for periodic updating of this policy.			

APPENDIX E

NOTES ON ESTABLISHING ALTERNATIVE EDUCATION PROGRAMS

Each school district has a small percentage of students who cannot be allowed to remain in regular classes because their behavior disrupts the educational process or presents a threat to the safety and welfare of others. In the past, the typical district response was to exclude these individuals temporarily or permanently from school.

Recently, however, districts have begun to acknowledge that exclusion does not solve the problem, and are now seeking ways to fulfill their responsibility to educate all children by creating alternative programs. The Department of Education has encouraged the development of these alternatives and has been actively supporting the creation of educational alternatives to suspension and expulsion.

Since the number of disruptive students in most districts is small, programs to meet the unique needs of this group usually cost considerably more per pupil than regular instruction. Unless these excess costs can be kept to a reasonable level, the establishment of an alternative disciplinary program will not be feasible for many districts particularly if they are expected to meet all of the conditions required of a regular school program.

The School Code and the State Board Regulations guarantee a basic instructional program for all students, including those in alternative schools and classes. Where a program of any type is planned which fails to meet these requirements, special approval must be secured from the Department of Education. Such approval may be sought under the provisions of Section 5.12 of the State Regulations. That section reads as follows:

§5.12(b) Experimental programs

> The Department may waive provisions of this chapter for experimental programs, subject to the following restrictions:
>
> (1) The request for an experimental program shall be in writing and shall include relevant data supporting the need for the experimental program.
>
> (2) The experimental program shall be valid for the school year for which it is granted, unless otherwise specified.
>
> (3) The request shall be made prior to initiating the action requiring approval and must have the prior approval of the board of school directors.

Applying for Experimental Status

Any school district in the Commonwealth which seeks approval for an experimental innovative or alternative program must submit a statement about the program to the Office of Inquiry and Approval. That statement must contain at least the following information:

1. A description of the program for which approval is sought.
2. A rationale which justifies the need for the program.
3. The type of students to be served in the program.
4. The procedures used to place students in the program including parental notification and consent.
5. The procedures used to return students to a regular program.
6. A staff plan which provides:
    - A. A listing of all administrative, supervisory education specialist and instructional positions associated with the program.
    - B. Job descriptions for these positions.
    - C. Certification held by all professional personnel assigned to the program.

When approval is granted for an experimental innovative or alternative program, the district must evaluate the program each year. That evaluation shall provide evidence that the program is effective and is meeting its original objectives. Submission of the evaluation report shall be made to the Office of Inquiry and Approval by July 1 following the school term in which approval was granted. Approval is only given for one year. Approval beyond the initial year must be secured annually and will be based in part on the results of the district program evaluation. Requests for continuation of approval should accompany the annual evaluation report.

APPENDIX F

A PLANNING INVENTORY FOR ALTERNATIVE DISCIPLINE PROGRAMS

The following inventory is provided as a guide for district administrators contemplating the development of an alternative education program for disruptive students. The inventory highlights specific areas which should be addressed as well as presenting a useful planning structure.

1. Selecting a planning and implementation committee made up of representatives from the school community:

    - School staff including teachers, PPS specialists, and administrators
    - Parents and students
    - Service agency personnel
    - Officials of the Juvenile Justice System, police and local government

2. Formulating the initial program plan:

    - Identify the district and community needs
    - Characterize the student population to be served
    - Review successful programs
    - Inventory local resources (staff, facilities, agency support)
    - Identify funding sources (local, state, federal)
    - Relation between school's discipline code and alternative program
    - Review and approval by School Board

3. Structuring the program:

    - Appropriate location for program
    - Degree of integration with regular school program
    - Hours of operation
    - Participation of students (voluntary-required)
    - Grade levels to be served
    - Temporary or long-term placement
    - Transportation and lunch
    - Return to regular program

4. Establishing admissions procedures:

   - Written admission criteria and placement policy
   - Staff referral
   - Parental involvement (conference, notification, consent)
   - Hearing and due process
   - Placement committee
   - Pre-testing and records review

5. Developing the educational component:

   - Core course offerings
   - Grading and graduation requirements
   - Measuring student achievement
   - Remediation and special help
   - Involvement with regular program
   - Instructional materials
   - Work experience, released time, vocational training
   - Instruction (individual-group)
   - Diagnostic testing and IEP (individual educational prescription)

6. Designing strategies for behavioral change:

   - Behavioral and academic expectations
   - Behavioral management strategies (reward structure, contracting, punishments)
   - Home involvement
   - Provide appropriate role models from the community
   - Counseling (individual, group, peer)
   - Values, morals, individual responsibility
   - Problem-solving and decision-making techniques
   - Cooperation with courts and youth agencies
   - Positive self-concept development

7. Securing a qualified staff:

   - Prepare job descriptions
   - Preparation and certification
   - Inservice training
   - Paraprofessionals and aides
   - Community and agency resources
   - Supervision, coordination, and administration
   - Use of educational specialists (reading, math, speech)
   - Pupil Personnel Services

8. Specifying conditions for student return to regular program:

   - Behavioral and academic criteria
   - Orientation of regular school staff
   - Counselor involvement
   - Partial or total integration in regular program
   - Follow-up by alternative school staff
   - Graduation from the alternative program

APPENDIX G

SAMPLE DISTRICT PROGRAMS AND PROGRAM ELEMENTS

Introduction

These policies are presented as samples for information purposes only and should not be considered either as models or as items that must be addressed. They may, however, prove helpful to school districts that wish to address similar issues and concerns and could profit from others' experiences and viewpoints.

Several points of clarification are needed in this regard. First, all but one of the examples is directed toward the regular student. Item number 8, Special Education Exclusion, is included to call attention to discipline situations with special education students where exclusion from school might exceed three days.

Second, in the use of exclusion from extra curricular activities as a punishment mode, it is suggested that the building principal have the right to extend the suspension period, should conditions warrant such action.

Finally, it is suggested that some type of formal agreement be developed with local law enforcement agencies so that sections of the school discipline code related to criminal acts requiring police intervention are clearly documented.

1. Comprehensive K-12 Policy - Steelton-Highspire School District

PHILOSOPHY

INTRODUCTION

It is the responsibility of the total school community to create and maintain an atmosphere that is conductive to teaching, learning and living. Everyone in the educational process has the right to expect that the environment shall be safe, pleasant, and well organized. The climate should produce security and consistency through the establishment of reasonable rules and guidelines that require an interaction based upon mutual respect and cooperation. The emphasis should be on courtesy, consideration and the fulfillment of all necessary obligations at all times.

STUDENT RIGHTS

Students do have rights. Having legal rights as persons and citizens, they may not be deprived of what the law gives them. These rights include the right to an education, the right to express their opinions, and the right to be free from invidious discrimination. They also have human rights as persons and participants in the educational community. These rights include the right to be treated with dignity by other participants and the right to contribute to the educational process.

Minors are compelled by law to attend school until they are 17 years of age. They cannot be compelled to want to attend or to like to attend, but all school personnel and parents shall encourage students to attend at all times.

STUDENT RESPONSIBILITIES

Student responsibilities include regular school attendance, conscientious effort in classroom work, and conformance to school rules and regulations. Most of all, students share with the administration and faculty a responsibility to develop a climate within the school that is conductive to wholesome learning and living.

No student has the right to interfere with the education of their fellow student. It is the responsibility of each student to respect the rights of all who are involved in the educational process.

Students should express their ideas and opinions in a respectful manner so as not to offend or slander others.

The students' responsibilities are to:

1. Be aware of all rules and regulations for student behavior and conduct themselves in accordance with them.

2. Be willing to volunteer information in disciplinary cases and cooperate with school staffs should they have knowledge of importance in relation to such cases.

3. Dress and groom themselves so as to meet fair standards of safety and health, and common standards of decency.

4. Assume that until a rule is waived, altered or repealed it is in full effect.

5. Assist the school staff in running a safe school for all students enrolled therein.

6. Be aware of and comply with state and local laws.

7. Protect and take care of the school's property.

8. Attend school daily, except when excused, and be on time at all classes and other school functions.

9. Make all necessary arrangements for making up work when absent from school.

10. Pursue and attempt to complete the courses of study prescribed by state and local school authorities.

11. Avoid inaccuracies in student newspapers or publications and indecent or obscene language.

12. Refrain from using disrespectful, indecent or obscene gestures or language in direct contact with other persons.

II.
CLASSROOM DISRUPTION

Procedures for handling classroom behavior problems are the basic responsibility of the classroom teacher. Discipline is most effective if handled as soon as possible. Students are to be sent to the Assistant Principal only after the teacher feels that the student is hampering normal class activities or after all other procedures found below are followed and no results obtained.

Step 1. STUDENT-TEACHER CONFERENCE

The teacher should talk with the student after class or after school to see if the incident can be resolved without further steps.

Step II. PARENTS CALLED AND A PARENT CONFERENCE IS NECESSARY

If the student continues to show signs of the unacceptable behavior in the classroom, a phone call home and possible meeting with the parents should be tried. A letter should be sent also.

Step III. DETENTION

Teachers and Administrators have the right to assign detention for misbehavior in the classroom and other offenses. Students assigned detention are to have an opportunity to inform their parents of the detention and to set up a date for serving this detention that is acceptable to both the student and the teacher or administrator. Any student who does not abide by the regulations of the detention period may be suspended from school by the administrator.

Step IV. REFERRAL TO COUNSELOR

Along with detention, the teacher should seek the aid of the counselor. The counselor should follow through with the student and parents and then get back to the sending teacher on the results.

Step V. REFERRAL TO ASSISTANT PRINCIPAL - CONDUCT CARD

A conduct card will be sent along with the student to the Assistant Principal if it is an immediate problem; in most instances the conduct card should be sent or given to the Assistant Principal after school. The Assistant Principal will see the student by the end of the next school day, and then respond to the teacher on how the situation was handled.

The conduct card should include from the sending teacher a complete account of previously taken steps with the student that is supported by documentation.

III.

OTHER BEHAVIOR PROBLEMS

A. ELEMENTARY CODE

B. HIGH SCHOOL CODE

Procedures for handling other behavior problems:

ELEMENTARY

LEVELS	EXAMPLES	PROCEDURES	DISCIPLINARY OPTIONS
I. Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school. These misbehaviors can usually be handled by an individual staff member.	School Disturbances a. Loitering b. Gum Chewing c. Pushing d. Littering e. Running f. Spitting g. Removing food from cafeteria Classroom Tardiness Cheating and Lying Abusive Language Defiant/Nondefiant failure to carry out directions or assignments Willful disobedience, misconduct, or obnoxious behavior Cruelty to others	There is immediate intervention by the staff member who is supervising the student or who observes the behavior.	Verbal reprimand Special assignment (relevant to the curriculum) Withdrawal of recess or special assembly programs Reduction of conduct grade Parent/Guardian notification by staff member Apoligise Detainment after school (bus students Parents must be notified 3 days in advance to make transportation arrangements)
II. Misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school. These infractions which usually result from the continuation of LEVEL I misbehaviors, require the intervention of personnel on the administrative level because the execution of LEVEL I disciplinary options has failed to correct the situation. Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others.	Continuation of unmodified LEVEL I misbehaviors School Tardiness Truancy Smoking Using forged notes or excuses Leaving school grounds without permission Improper Dress	1. The student is referred to the administrator for appropriate disciplinary action. 2. Parent/Guardian will be informed in writing by teacher or administrator. 3. A proper and accurate record of the offenses and disciplinary action is maintained by teacher or administrator.	Peer counseling Time-out room Time-out in lower level classroom Counseling Any LEVEL I options Corporal punishment
III. Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of others in the school. These acts might be considered criminal but most frequently can be handled by the discipliancy mechanism in the school.	Fighting (simple) Vandalism (minor) Stealing Threats to others Possession/use of unauthorized substances (see district guidlines) Minor form of extortion	1. The administrator initiates action by investigating the infraction and conferring with staff on the extent if the consequences. 2. The administrator meets with the student and confers with the parent about the student's misconduct and the resulting action. 3. A proper and accurate record of offenses and disciplinary actions is maintained by the administrator.	Temporary removal from class Referral for evaluation Temporary out-of-school suspension of at least one day Repair, clean or restitution of property and damages

LEVELS	EXAMPLES	PROCEDURES	DISCIPLINARY OPTIONS
IV. Acts which result in violence to another's person or property or which pose a direct threat to the safety of others in the school.	Assult/battery Possession/use/transfer dangerous weapons Bomb threat False Alarms Furnishing/selling of unauthorized substances (see district guidlines) Arson	1. The administrator verifies the offense, confers with the staff involved and meets with student. 2. Student is immediately removed from classroom environment and parents are notified. 3. A complete and accurate report is submitted to the superintendent for board action. 4. The student is given a full due process hearing before the board.	Contact law enforcement agency Expulsion Alternative School

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III.

OTHER BEHAVIOR PROBLEMS-HIGH SCHOOL

VIOLATIONS AND PENALTIES

To aid you in understanding our disciplinary policy, we are listing types of violations and penalties for these violations. This list is not all inclusive, but it is meant to serve as a guide.

Level I - Acts that Constitute a Violation of Established School Policy.

Level I violations will be penalized by detention if teacher or administration conference fails to produce desired results.

VIOLATIONS	PENALTY
Radio, Tape Player	Detention
Cheating	"
Food in halls	"
No pencil, books, etc.	"
Failure tp serve detention with teacher/school	Double Detention
Late to School	Detention after 3rd offense
Late to Class	Detention with 1st offense
Unauthorized use of parking facilities lot or other school property.	Detention
Unauthorized use of personal property	"
Obscene or abrasive language	"
Improper Dress	"
Public display of affection	"
Failure to return forms, letters, report cards or absence cards without notes	"

Level II - But not limited to:

VIOLATION	PENALTY
Cumulative violations of Level I	1- 3-Day Suspension in ALC
Class Cutting	(same as above)
Defacing school property	3-Day suspension in ALC (plus paying for the damage and cleaning the defaced property)
Failure to follow rules and regulations established by the school and/or misconduct on field trips, school sponsored camp programs, or any other trip or program involving students leaving school property.	Up to 3-day suspension
Fighting	Automatic 3-Day suspension/or upon judgement of Administration, placed in ALC.

VIOLATIONS cont'd	PENALTY
Forgery (note, pass, etc.)	Up to 3-days suspension in ALC
Insubordination, disrespectful speech or actions, open defiance of authority	Automatic 3-days homebound suspension.
Refused to leave school property when ordered to do so.	Prosecute for trespassing.
Truancy	Up to 3-days suspension in ALC.
Possession or use of tobacco (smoking or smokeless)	
1st Offense	3-Days suspension in ALC
2nd Offense	3-Days out-of-school suspension
3rd Offense	5-Days suspension in ALC
4th Offense	10-Day suspension and Board Hearing (Level III)
Excessive Detentions (8 or more)	Up to 3-days suspension in ALC
Excessive Tardies to school (7 or more)	Up to 3-days suspension in ALC

INFRACTIONS INVOLVING VIOLATION OF THE STATE PENAL LAWS

Level III - But not limited to:

VIOLATION	PENALTY
Cumulative violations of Level I or Level II	10-Day suspension in ALC
Theft	10-Day suspension in ALC with restitution
Aggravated assault (where one party aggressively assaults another party who is passive).	10-Day suspension with a Board hearing
Assault on a faculty member	10-Day suspension with a Board hearing
Vandalism (intentional destruction of property.	(same as above)
Unauthorized use of school fire alarm system.	(same as above)
Leading or participating in a riot in a school.	(same as above)
Threatening phone calls or bomb scares	(same aas above)
Violation of State Vehicle Code	3-Day suspension, Prosecution

Level III-Drug and Alcohol Policy

IV. DRUG AND ALCOHOL GUIDELINES

GUIDELINES FOR HANDLING DRUG AND ALCOHOL RELATED INCIDENTS

1. A situation wherein a student is suspected to be under the influence of a drug or alcohol shall be recognized and treated as a medical emergency. All standard medical and emergency procedures shall be followed. In such instances, the student shall not be left alone, the school nurse shall be summoned immediately, and if necessary, additional medical help will be secured.

1.1 In such an emergency the principal shall be responsible for all necessary investigation procedures. The principal or his authorized delegate may search the student's locker and remove any apparent drug or alcoholic substance. If the student must be taken to a medical facility, he/she will be accompanied by the principal or his authorized delegate.

1.2 If there is ever a question of a student's safety, professional medical personnel will be notified immediately.

1.3 All substances discovered at the emergency scene or subsequently uncovered shall be turned over by the school principal or authorized delegate to medical personnel for identification and aid in the treatment of the emergency.

1.4 Parents will be immediately notified of the incident as a medical emergency.

1.5 Maintaining the confidentiality of such situations, particularly the knowledge of there being drugs or alcohol involved, shall be the responsibilities of all parties involved. Such information shall be limited to the initial parties who are in knowledge of the situation and may only be extended to medical personnel, the school principal, school superintendent, and counselor. Parental notification should consist of reporting a medical emergency and describing symptoms to the parents.

1.6 Student involved in such an emergency shall be required to have an appointment with one of the school district's counselors. Recommendation for further counseling or outside referral shall be made by the counselor subject to the approval of the school administration.

1.7 Discipline will consist of a supervised suspension of ten (10) days in the Alternative Education Center and a mandatory formal hearing before the school board consistant with all aspects of due process requirements. Further disciplinary action will be the decision of the board.

1.8 Law enforcement authorities shall not be notified by school personnel unless the safety of the emergency victim or general school population is at risk.

2. In an instance of a student being caught with possession for the first time, the matter will be pursued on an internal basis in terms of investigation and discipline.

2.1 Investigation will be conducted by the principal or his authorized delegate. The staff member who discovers the drug or alcohol will confiscate all substances in plain sight. The student involved will be brought to the principal. The principal will then request that all other substances be surrendered. The principal shall search a student's locker in the presence of a second staff member. The student shall not be left alone during this process. If necessary, parents will be contacted for their consent or attendance if a personal search is deemed necessary.

2.2 Parents shall be notified and completely informed of the circumstances.

2.3 Law enforcement authorities will be contacted so the school can turn over the drug substance. Student's name will be withheld. Any confiscated substance should be placed in an envelope. A witness shall be present. The following should be noted on the outside of the sealed envelope: date and time, school name, description of contents (i.e., leafy matter, pill, capsule), and signature of both parties.

2.4 Confidentiality shall be the responsibility of the staff members involved. Distribution of information will be limited to the student(s), staff member involved, school counselor, nurse, principal and superintendent.

2.5 Student (s) involved shall be required to have an appointment with one of the school district's counselors. Recommendation for further counseling or outside referral shall be made by the counselor subject to the approval of the school administration.

2.6 Discipline will consist of a supervised suspension of ten (10) days in the Alternative Education Center and a mandatory formal hearing before the school board consistant with all aspects of due process requirements. Further disciplinary action will be the decision of the board.

In an instance of a student caught with possession repeatedly or who responds with arrogance, the matter will be pursued on an internal basis in terms of investigation and discipline.

3.1 Investigation will be conducted by the principal or his authorized delegate. The staff member who discovers the drug or alcohol substance will confiscate all substances in plain sight. The student involved will be brought to the principal. The principal will then request that all other substances be surrendered. The principal may search a student's locker in the presence of a second staff member. The student shall not be left alone during this process. If necessary, parents will be contacted for their consent or attendance if a personal search is deemed necessary.

3.2 Parents shall be notified and completely informed of the circumstances.

3.3 Law enforcement authorities will be contacted and presented with all evidence and circumstances pertaining to this incidence.

3.4 Confidentiality shall be the responsibility of the staff members involved. Distribution of information will be limited to student(s), staff members involved, school counselor, nurse, principal, superintendent and school board members.

3.5 Student involved shall be required to have an appointment with one of the school district's counselors and referral to an appropriate drug or alcohol program.

3.6 Discipline will consist of an out of school suspension of ten (10) days and a mandatory formal hearing before the school board consistant with all aspects of due process requirements. Further disciplinary action, including possible expulsion from school will be the decision of the board.

When a student has been caught with drugs or alcohol and it is suspected that the student is selling or dispensing the drug, the situation will be investigated and all necessary procedures will be followed.

4.1 Investigation will be conducted by the principal or his authorized delegate. Because of the severity of this situation, extreme care should be exercised during all investigations. If available information indicates, the student will be questioned by the principal who will request the surrender of all substances. The principal shall search a student's locker in the presence of a second staff member.

4.2 Parents will be notified as soon as adequate supportive information is collected.

4.3 Law enforcement authorities will be contacted and presented with all evidence and circumstances pertaining to this incidence.

4.4 Confidentiality will be the responsibility of the staff members involved. Distribution of information will be limited to the student, staff involved, school counselor, nurse, principal, superintendent and school board members.

4.5 Student (s) involved shall be required to have an appointment with one of the school district's counselors and referral to an appropriate drug or alcohol program.

4.6 Discipline will consist of an out of school suspension of ten (10) days and a mandatory formal hearing before the school board consistant with all aspects of due process requirements. Further disciplinary action, including possible expulsion from school will be the decision of the board.

5. When a student is suspected of possessing or using drug or alcoholic substances yet there is no clear evidence to support the suspicion, a concerned staff member may offer help based on a personal concern for the well being, behavior or school performance of the student, NOT DRUG OR ALCOHOL ABUSE

5.1 Investigation of such a suspected situation is limited to staff member contacting the school nurse or counselor.

5.2 Parents may only be notified by school nurse or counselor, as last resort for getting help for such student. The notification shall be limited to behavioral problems, or school performance, not suspected drug or alcohol use.

5.3 The suspecting staff member is obligated to guard such suspicions.

5.4 The student should be informed of available help and encouraged to seek assistance by!

5.5 Discipline is not warranted nor legal.

5.6 Law enforcement involvement is not warranted nor legal.

6. In instances of suspected possession or use that is confirmed by the student's admission to school personnel, school staff shall make every effort to pursue all possible approaches to have the student accept help.

6.1 Investigation will be limited to discussion between the staff member and student.

6.2 It is the staff member's responsibility to inform the student of the help that is available and the student's right to such help.

6.3 The staff member shall be responsible for the confidentiality of such discussions. A staff member may discuss the situation only with the school nurse, counselor or principal, preferably with the student's permission.

6.4 Parental contact should not be made unless student gives you permission to do so.

6.5 Discipline is not warranted.

6.6 Law enforcement involvement is not warranted.

7. In an instance of a student volunteering information about possible drug or alcohol possession or use, the situation will be investigated and necessary procedures will be followed.

7.1 Investigation of volunteered information will be initiated by the staff member contacting the principal or his authorized delegate.

7.2 Confidentiality will be the responsibility of the staff members involved. Distribution of information will be limited to the staff member involved, school nurse, counselor, principal and superintendent.

8. Students seeking drug or alcohol related help or advice from school personnel shall be informed of the availability of professional help and the rights of minors to such help.

8.1 The student should be fully informed of services that are available, their rights to receive the service and of the confidentiality to which they are entitled. The student should be encouraged to seek such help.

8.2 The staff member may consult the school nurse or counselor concerning such an incident, preferably with the consent of the student.

8.3 The staff member involved in such circumstances is obligated to guard the confidentiality of the student.

8.4 Parents may not be notified without written consent of the student.

8.5 Disciplinary action is not warranted.

8.6 Law enforcement involvement is not warranted.

9. Occasionally, a student will contact a staff member in regard to the drug or alcohol usage of another student. Any response must be made in consideration of the direct source of the information. Such a student should be encouraged to relay information about help and student's rights to the student with the problem.

9.1 Such information will generally be maintained on a one-to-one basis, although the school nurse or counselor may be contacted concerning sources of available information.

9.2 The student who contacts a staff member should be encourages to try to get the student with a problem to personally contact someone who can help.

9.3 The student who contacts a staff member should also be encourages to see the counselor for additional information concerning help.

9.4 The confidentiality of such information is the responsibility of the staff member who has been contacted. No contact further than the school nurse or counselor should be made.

10. In instances of suspicion of a non-student using, selling or dispensing drugs or alcoholic substances on school property, the situation will be investigated and all necessary procedures will be followed.

10.1 Investigation will be primary responsibility of the school principal with full cooperation from all staff members.

10.2 Law enforcement authorities will be contacted and provided with all information.

10.3 Confidentiality required by civil law will be maintained.

V.

TRANSPORTATION GUIDELINES

Failure to follow school policies is potentially more dangerous while in a vehicle than in a school building.

Therefore, in addition to the designated penalty found in the building codes, the following shall apply:

1. 1st Offense - designated penalty plus a parental conference warning of possible loss of bus privileges.
2. 2nd Offense - designated penalty plus a one week suspension of bus privileges.
3. 3rd Offense - termination of bus privileges for the remainder of the school year.

Prior to any cessation of bus privileges a two day warning will be afforded to parents.

Proper bus behavior includes:

1. Sit in seats - Do not stand.
2. No shouting out windows.
3. Keep arms, hands, etc. away from windows and doors.
4. No food/drink is to be consumed on bus.
5. Students boarding or leaving bus should do so in an orderly fashion.
6. There is to be no misconduct, disobedience or obnoxious behavior on the bus.
7. No use of abusive language or profanity
8. Students are to board and exit buses at assigned stops.

VI.

OFF CAMPUS ACTIVITIES

A student shall be considered "in attendance" and subject to all school policies when engaged in:

- field trips
- sporting events/practices, either as a participant or spectator
- waiting at a bus stop

VII.

CORPORAL PUNISHMENT POLICY

CORPORAL PUNISHMENT: Teachers and Schools are authorized to use Corporal Punishment (physically punishing a student for an offense) in accordance with the following guidelines:

A. Corporal Punishment shall not be the first method of disciplining a student, but shall be resorted to when other disciplinary measures have failed.

B. The use of reasonable force is paramount.

C. Corporal Punishment shall always be administered by a member of the professional staff and witnessed by an administrative staff member.

D. Parental notification exempting a child from corporal punishment must be filed in writing with the building principal on a form provided by the school. This must be completed and on file by Sept. 28 of each year.

VIII.

SUSPENSION POLICY

1. When a student is suspended, the parents will be contacted by phone. If the offense is serious enough, the parents will be asked to come to the school and pick up their child.

2. When a student is returning from a suspension, the parents or parent must return them personally to school to be readmitted. Phone calls and other excuses will not be acceptable and the student must stay home until the parent can bring them to school. When the parent returns with the student, a conference must be held with the Assistant Principal, teacher, parent and student involved.

3. When suspended, the student is not allowed to participate in any extra or co-curricular activities during the duration of their suspension.

4. Students shall be permitted to make up, without penalty, exams and work missed while being disciplined by temporary or full suspension. It is the responsibility of the student to make necessary arrangements, within an appropriate time period, for making up work whether the absence is lawful or due to suspension.

IX.
BOARD HEARINGS

1. All recommendations for expulsion or placement in the Alternative School require a Board Hearing.

2. The Administrative recommendation is advisory to the School Board where expulsion is recommended.

3. A recommendation of those board members present will be made to the entire board at the next regular meeting.

4. Timely Notice of time and place of the hearing should be given.

5. The hearing shall be held in private unless the student or student's parents request a public hearing.

6. The hearing will be held before ten (10) days of school are missed unless an extension is requested by the student or student's parents. No student will be readmitted to school until the hearing is held.

2. Comprehensive K-12 Policy - West Chester Area School District

SOME BASIC UNDERSTANDINGS

- The West Chester Area School Board has the authority to make reasonable and necessary rules governing the conduct of students in school. As provided by Section 1317 of the School Code of the Commonwealth of Pennsylvania: Authority of Teachers, Vice Principals and Principals over Pupils. Every teacher, vice principal and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his school, during the time they are in attendance, including the time required in going to and from their homes, as the parents, guardians or persons in parental relation to such pupils may exercise over them. (Amended July 25, 1963, P.L. 315).

- The teacher has the responsibility to maintain a suitable environment for learning, and the administrators have the responsibility for maintaining and facilitating the educational programs.

- The principal is authorized by statue to suspend students for cause. Rules and regulations shall be published and reviewed with students at the opening of each school year and should be posted in prominent locations throughout the school. Copies should be made available to students and parents upon request.

- The principal shall be responsible for informing both parents and student of school rules and regulations at the opening of the school year.

- The teacher has the authority to send a student to an appropriate school official from a class for cause.

- Teachers and School Administrators shall administer discipline within the guidelines of the "regulations and Guidelines of Student Rights and Responsibilities" adopted by the State Board of Education in September, 1974, and other specific policies relating to student behavior and discipline as adopted from time to time by the Board.

- In order that infractions of the rules established for student conduct may be treated equitably and consistently, the Board will approve a Disciplinary Action Schedule for the District's schools.

- The intent of this Schedule is to provide students with a definition of the limits of acceptable behavior, and to equip school administrators for their disciplinary responsibilities. The Schedule shall be interpreted by the principals and their designees in a manner which they deem just, given the circumstances of the individual case. Additionally, students must understand that administrators shall have the authority to enforce other reasonable disciplinary action which they find warranted by situations not covered.

- The Implementation of the student discipline policy rests with all levels of the management/administrative/instructional team and is an area that should be considered in performance evaluation.

WHY DISCIPLINE?

Discipline should, as a minimum, have three objectives in mind:

- .PRESERVE the optimum environment in which to deliver instructional services.
- .RESPOND to disruptive influences with corrective measures in a firm and consistent manner while attempting to correct deviate behavior and keep disruptors in school.
- .REMOVE, as a last resort, the disruptors from the educational environment so that the majority may pursue their educational goals.

As present law now stands, it is the responsibility of the Board to continue with the education of the student until age 17, whether in the formal educational setting or outside that environment, in cases of expulsion.

DISCIPLINARY ACTION SCHEDULE

Secondary Schools

OFFENSES

Different offenses should require different responses. The following is a categorization of offenses into levels.

LEVEL I

1. Unexcused lateness to school
2. Unexcused lateness to class
*3. Refusing detention/late room
*4. Other minor infractions of acceptable behavior in school

LEVEL II

1. Cutting class
2. Leaving school without permission
3. Smoking (see STUDENT SMOKING)
4. Truancy (see TRUANCY)
5. Bus Problems (see BUS CONDUCT)
6. Verbal assault
7. Insubordination
8. Willful fighting
9. Other more serious infractions of acceptable behavior in school
10 Defacing School Property

LEVEL III

1. Theft
2. Physical assault
3. Possessing deadly or offensive weapons
4. Arson or false alarms
5. Bomb threats
**6. Vandalism

7. Controlled substance abuse (drugs and alcohol)
8. Extortion
9. Commission of any other act punishable under the Pennsylvania Crimes Code.

*Refusing late-room or teacher detention will not count toward superintendent referral, nor will other minor infractions.

**Defacing school property and vandalism represent the same type of deviant behavior. For purposes of response, damages in excess of $10. will be considered as vandalism while those of less than $10. will generally be considered as defacing school property. In cases of less than $10. in damages, discretion may be exercised by the Administrator in classifying the action as vandalism based on extenuating circumstances e.g. repeated offenses. In all cases, however, restitution will be sought with the application of Disciplinary action as stated in the policy.

Definitions:

A. Verbal Assault -- Verbally offering to do immediate and/or future personal bodily harm to another or to his/her possessions by one in a position to carry out his/her threat and thereby putting another in fear for his/her safety.

B. Insubordination -- Refusing to follow a reasonable directive of either a school district professional employee or administrator acting within the scope of his/her authority.

C. Willful Fighting -- Engaging in a fight or scuffle entered into by mutual consent.

D. Theft -- Withholding property from another permanently or for so extended a period as to appropriate the major portion of its economic value, or with intent to restore only upon payment of reward or other compensation; or to dispose of the property so as to make it unlikely that the owner will recover it; or any offense prohibited by Chapter 39, "Theft and Related Offenses", of the Pennsylvania Crime Code (18 C.P.S.A. §§3901 et seq. and as may hereafter be amended).

E. Physical Assault -- (1) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury to another; (2) negligently cause bodily injury to another with a deadly weapon; (3) attempts by physical menace to put another in fear of imminent serious bodily harm; or (4) any offense prohibited by Chapter 27, "Assault", of the Pennsylvania Crimes Code (18 C.P.S.A. §§2701 et seq. and as may hereafter be amended).

F. Deadly or Offensive Weapons -- Any bomb, grenade, machine gun, sawed-off shotgun, firearm, specially made or specially adapted for concealment or silent discharge; any blackjack, sandbag, metal knuckles, dagger, knife or razor or cutting instrument, the blade of which is exposed in an automatic way by switch, push-button, spring mechanism, or otherwise, or any other implement for the infliction of serious bodily injury and which serves no common lawful purpose. It shall include any instrument or object capable of inflicting harm and possessed by a student under circumstances showing an intent or likelihood that it would be used unlawfully.

G. Vandalism -- Damaging tangible property of another intentionally, recklessly, or by negligence in the employment of fire, explosive, or other means; or recklessly or intentionally tampering with tangible property of another so as to cause or attempt to cause unjustified actual harm to tangible property of another.

H. Extortion -- Intentionally obtaining or withholding property of another by the threatening to (1) inflict bodily harm on anyone or commit other criminal activities; (2) accuse anyone of criminal offense; (3) expose any secret intending to subject any person to hatred, contempt or ridicule.

I. Terms otherwise undefined by this regulation shall be interpreted in the same manner as similar or identical terms in the Pennsylvania Crimes Code.

ADMINISTRATIVE ACTION

At times during the school year, student misbehavior will necessitate action on the part of the Board. At this point, the school administration will have exhausted all approaches in attempting to correct the student's misbehavior. The administration will have, at various times, worked with these resources:

1. parents
2. teachers
3. guidance counselor
4. social worker/caseworker
5. community or religious resource personnel
6. social agencies
7. psychologist

The breach of discipline within the schools will probably fall into two major classes of offense:

1. Violation of the rules of conduct of the school (see Level I and II).

2. Violation of rules of conduct of the school because they are a violation of the law (a crime has been committed) (see Level III).

This second category of infraction calls for dual corrective action of a school administered response as well as a community administered response.

The school action would be as in the class one infraction, except for the sanction imposed. In addition, the appropriate law enforcement agency would be brought into the matter. This course of action would remove from the school personnel that discretion which decides that, for example, one case of physical assault is breaking the law while another is not.

LEVEL I

1. Unexcused lateness to school
    a. Each of the first three offenses will be recorded on a student late card.

    b. Fourth, fifth and sixth offenses will result in the student's receiving one day of late room for each.

    c. Upon the recording of the seventh or more lateness, the student will be suspended. The length of this suspension will be one day.

2. Unexcused lateness to class
    a. One day of late room will be assigned for each offense.

    b. Upon recording of the seventh or more lateness, the student will be assigned one day of internal suspension.

    Note: Continued disregard for school policies should result in administrator's recommendation for more severe disciplinary action.

3. Refusing detention/late room
    a. One day internal suspension.

LEVEL II

These offenses, being of a more serious nature, will result in the following action:

1. A first offense will result in a one-school-day internal suspension.

2. A second offense will result in a three-school-day internal suspension.

3. A third offense will result in a five-school-day internal suspension. A parent/guardian conference shall be requested, either by phone or in writing.

    Note: The offense may be a repeat of a prior Level II offense or combination of offenses.

4. A fourth offense will result in a five-school-day internal suspension.

5. A fifth offense will result in a five-school-day external suspension. A parent/guardian conference shall be requested in writing at this step.

6. A sixth offense will result in a ten-school-day external suspension. An informal hearing shall be held with the parents and student and a meeting will be scheduled with the parents and student to meet with the Director of Pupil Personnel Services.

7. A seventh offense will result in a ten-school-day external suspension from school and a Board hearing shall be held with administration recommendation for exclusion of the student from the school for the remainder of the school year, or for a longer period of time if a longer exclusion from school is warranted by the circumstances.

LEVEL III

The offenses in this class are of a nature that their commission represents a violation of law and are subject to civil and/or criminal penalties. This type of behavior is obviously unacceptable in the educational environment.

The local law enforcement agency will be notified on all Level III offenses. In addition, the following action will be taken:

1. A first offense will result in a 10 day external suspension from school.

2. A second offense shall result in a 10 day external suspension from school and a Board hearing shall be held with administration recommendation for exclusion of the student for the remainder of the school year, or for a longer period of time if a longer exclusion from school is warranted by the circumstances.

   The administrator may, if he/she considers the committing of offenses in this category serious enough to be a threat to the health, safety or welfare of others, request Board hearing for exclusion of the student upon commitment of the offense for the first. The administrator shall request a Board hearing for exclusion of the student upon commitment of the offense for the first time where the offense involves physical assault upon any employee of the School District.

Note: Any student subjected to disciplinary action which involves his/her removal from the normal classroom environment is still required to demonstrate mastery of all subject matter for advancement to the next grade level.

Parents/guardian of said student shall be notified immediately by phone, if possible, and in writing when a student has been suspended internally or externally from class.

Elementary Schools

OFFENSES

Minor misbehaviors which impede orderly classroom procedures or interfere with the orderly operation of the school...including but not limited to the following:

- .unexcused lateness
- .offensive language
- ..other minor infractions of unacceptable behavior in or on school property

Disciplinary Options (any one or more of the following)

- .verbal reprimand
- .restrictions
- .counseling
- .detention
- .parent notification
- .in school suspension

LEVEL II

Misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school...including but not limited to the following:

- .defiance or disrespect
- .smoking
- .cutting class
- .truancy
- .disruptive behavior
- .fighting
- .violation of District Bus Policy
- .defacing school property
- .extortion
- .theft

Disciplinary Options (any one or more of the following)

- .probation -- with any future incident resulting in one of the disciplinary actions listed below
- .detention
- .corporal punishment

LEVEL III

Misbehavior directed against persons or property or continued misbehaviors which defy remediation at Level II...including but not limited to the following:

- .vandalism
- .violation of District Drug Abuse Policy
- .endangering the safety of others

- .arson
- .bomb threats
- .false fire alarms
- .commission of any other act punishable under the Pennsylvania Crimes Code

Disciplinary Action

- .parent notification by phone, if possible, and in writing and made part of student record
- .notification to local law enforcement agency
- .parent conference
- .5-day external suspension*
- .a second offense shall result in a 5-day external suspension and a Board hearing. (The administrator may, if he or she considers the committing of offenses in this category serious enough to be an immediate threat to the health, safety or welfare of others, request a Board hearing for exclusion of the student upon the commitment of the offense for the first time.)

*A student who is on suspension shall not participate in, nor attend any extracurricular activity during the period of suspension. This will be in effect immediately upon notification of suspension. Suspension shall be in effect until the start of the first day that the student is eligible to return to school.

ADMINISTRATIVE ACTION

At times during the school year, student misbehavior will necessitate action on the part of the Board. At this point, the school administration will have exhausted all approaches in attempting to correct the student's misbehavior. The administration will have, at various times, worked with these resources:

1. parents
2. teachers
3. guidance counselor
4. social worker/caseworker
5. community resource personnel
6. social agencies
7. psychologist

The breach of discipline within the schools will probably fall into two major classes of offense:

1. Violation of the rules of conduct of the school (see Level I and II).

2. Violation of rules of conduct of the school because they are a violation of the law (a crime has been committed) (see Level III).

This second category of infraction calls for dual corrective action of a school administered response as well as a community administered response.

The school action would be as in the class one infraction, except for the sanction imposed. In addition, the appropriate law enforcement agency would be brought into the matter. This course of action would remove from the school personnel that discretion which decides that, for example, one case of physical assault is breaking the law while another is not.

DRUG ABUSE

I PURPOSE:

The School Board finds that the possession, use, distribution or delivery of controlled substances and/or alcoholic beverages by students while engaged in activities subject to control by the School District is a matter of concern and injurious to the health, safety and welfare of the students, and enacts the following regulations:

In accordance with Section 1317 of the School Code of the Commonwealth of Pennsylvania, the Board of School Directors prohibits any student from knowingly possessing, using, transmitting, manufacturing, or being under the influence of any controlled substance and/or alcoholic beverage. These prohibitions are made as being in the interest of the health, safety and welfare of the students.

Controlled substances and alcoholic beverages include but are not limited to the following:

1. Depressants (Barbituates)
2. Stimulants (Amphetamines)
3. Narcotic Drugs
4. Controlled Substances
5. Marijuana
6. Hallucinogens
7. Alcoholic Beverages
8. Intoxicants or mind changing chemicals capable of altering, impairing or changing the physical or mental processes of a student which results in the student losing the normal use of his physical or mental facilities.

The Board prohibits any student from knowingly possessing any hypodermic syringe, needles, or other instrument capable of or designed, made, or adapted for the use of administration of any substance (listed above) on school grounds during any school term, off school grounds at a school sponsored activity, function or event, or on any vehicle designated or used by the school for transport of students.

II. DEFINITIONS:

A. Controlled substance -- For purpose of these regulations, a controlled substance is any substance the possession, use or delivery of which is regulated by the Controlled Substance, Drug, Device and Cosmetic Act of the Commonwealth of Pennsylvania, Act of April 14, 1972, P.L. 233, No. 64, Section 1, et. seq., 35 P.S. Section 780-101 et. seq.

The following are examples of the types and kinds of controlled substance listed in the Act, but they do not include every controlled substance and the absence of a particular controlled substance from the examples listed hereafter should not be construed by the student or anyone else as an indication that the use, possession, transportation or distribution of such controlled substance is not regulated by the afore-mentioned Act:

Schedule I: Controlled substance with no medicinal value and a high potential for abuse. These controlled substances may not be dispensed, possessed, or used, even with a prescription order. (Examples: Heroin, LSD, Marijuana, certain Codeine compounds, Mescaline, Peyote, Psilocybin, certain amphetamines).

Schedule II: Controlled substances with a potential for abuse but which are used medically with severe restrictions. These controlled substances are legally available only on written prescription order which may not be refilled. (Examples: Morphine, amphetamines, Cocaine).

Schedule III: Controlled substances with less potential for abuse and used in medicine and cause moderate dependency. The controlled substances are legally available only on written or oral prescription, which may not be filled more than 6 times, or after 6 months. (Examples: Codeine, certain barbiturates).

Schedule IV: Controlled drugs with less potential for abuse than above schedules, and which are used in medicine and cause limited dependency. These controlled substances are legally available only written or oral prescription which may not be filled more than 6 times, or after 6 months. (Examples: barbiturates, tranquilizers, stimulants).

Schedule V: Controlled substances with low potential for abuse and which are used in medicine and are available without prescription, but are subject to other regulations.

B. Alcoholic Beverages -- For the purpose of these regulations, an alcoholic beverage is any intoxicating liquor, wine, or brewed or malt beverage regulated under the Liquor Code of the Commonwealth of Pennsylvania, Act of April 12, 1951, P.I. 90 art. 1, Section 101, et. seq., as amended, 47 B.S. Section 1-101, as amended.

III. LIMITATIONS:

Except for Section IV none of the provisions of this policy shall be construed to prohibit or regulate a student's use, possession, or transportation of medication prescribed for that student by a licensed physician according to that student's needs.

IV. PRESCRIPTION MEDICATION:

A. All medication required by students shall be given by parents whenever possible.

B. The parent and the student shall inform either the school nurse or principal of any medication brought to or taken in school. A statement from a student's physician will be accepted in lieu of the parent providing information on medication so long as a copy of the physician's statement is given to the school nurse or principal.

C. Prescription medication may be given by school personnel in school only when a physician's written statement, which shall include a diagnosis, type of medication, dosage, instruction for administering and possible side effects, is on file with the school nurse. The parent shall be responsible for supplying the labeled medication and the physician's written statement. When the nurse is not available, the responsibility for administering the medication shall be delegated by the principal.

D. Medication kept in school shall be kept in a safe place known to the nurse and the responsible personnel.

V. STUDENT POSSESSION, USE OR DELIVERY OF CONTROLLED SUBSTANCES AND/OR ALCOHOLIC BEVERAGES:

A. In accordance with Section 1317 of the School Code of the Commonwealth of Pennsylvania, a student who is found or suspected to have possessed, used, or delivered a controlled substance or alcoholic beverage, shall be reported immediately to the building principal. For example, constructive possession may include but shall not be limited to having a controlled substance or alcoholic beverage in a student's locker, or in a student's desk, or any other circumstance where the student has the power and the intent to exercise control over a controlled substance or alcoholic beverages. Both the power and intent to so control may be inferred from all of the circumstances. A solicitation to deliver or an attempt to deliver shall be regarded the same as an actual delivery.

B. All physical evidence of suspected controlled substance or alcoholic beverage related incidents shall be confiscated and given to the school principal, provided, however, the staff members shall not search a student's person for such evidence.

C. The principal shall offer the student an opportunity to be heard. If, after the student is heard, the principal determines in his or her discretion that the matter should be pursued and investigated further, the principal shall notify the parents immediately. The principal shall initiate appropriate disciplinary action in accordance with the District's Regulations and Guidelines on Student Rights and Responsibilities, particularly those sections regarding Exclusions, Hearings, Confidential Information and Searches, and report the incident to the police or other appropriate civil authority.

D. The principal shall:

1. Investigate further concerning the facts of the suspected controlled substance or alcoholic beverage related incident.

2. Arrange and hold a conference with the student, parents and appropriate school personnel to discuss the matter and to determine the appropriate course of action.

E. Student Use/Possession of Controlled Substance and/or Alcoholic Beverages and/or Use/Possession of paraphernalia related to controlled substances:

1. The first offense shall result in a 7-day external suspension from school and the student shall be assigned to an alternative educational program for three days.

2. The second offense shall result in a 10-day external suspension from school and a Board hearing shall be held with administration recommendation for exclusion of the student from school for the remainder of the school year.

3. Refer the student to an appropriate agency for counseling and treatment.

F. Student Delivery of Controlled Substance and/or Alcoholic beverages:

1. The first offense shall result in a 10-day external suspension from school and a Board hearing shall be held with administration recommendation for exclusion of the student from school for the remainder of the school year.

2. Refer the student to an appropriate agency for counseling and treatment.

VI. STUDENT SEEKING HELP:

1. School personnel to whom a student reports and from whom he seeks help may consult with the student or may refer the student to a faculty member designated by the principal (e.g., counselor, school nurse, adviser, etc.).

2. If help is required, the faculty designate may advise and assist the student in seeking appropriate psychological, medical or other types of help.

3. If medical treatment appears necessary, the parents shall be notified.

4. Follow-up by the counselor with the student and the referral agency shall be imperative.

VII. VISITORS SUSPECTED OF CONTROLLED SUBSTANCE OR ALCOHOL RELATED ACTIVITIES:

Visitors suspected of using, possession, transporting or distributing controlled substance or alcohol or of encouraging or promoting such activity while on school property or during the course of school sponsored activities shall be reported to the school principal who shall report the visitors to local law enforcement officials, if he/she deems the facts and evidence give cause to do so.

STUDENT DETENTION

(And In-School Suspension)

After-School Detention

The administration or any teacher may, if necessary, detain a student for disciplinary reasons after school hours. Detention on one day is to be for a minimum of 30 or a maximum of 60 minutes.

The following should be observed when detaining a student:

1. Students are to be given 24 hours notice so that they can inform their parents of the detention and arrange for transportation after the detention.

2. If a teacher feels that 60 minutes is not sufficient, then another day of detention can be assigned to the student.

3. Students are never to be left alone during their detention. They must always be supervised by the detaining teacher.

4. Occasionally a pupil requests to be excused from his detention for that particular day. This decision will be made by the teacher who assigned the detention. Sometimes, due to family situations and emergencies, it is best that the student's request be honored. However, it is suggested that the teacher call the pupil's parents, if in doubt.

In-School Suspension

In order to maintain greater control and provide more guidance for students who disruptive behavior forces their temporary removal from the regular classroom, in-school suspension shall be conducted in the middle and high schools in conformance with the following guidelines:

1. Students will be assigned to in-school suspension by school administrators.

2. The administration will inform staff members of the names of those students assigned to in-school suspension. This will include notifying the student's counselor and the school caseworker.

3. The administration will notify the parents in writing that a student has been assigned to in-school suspension, giving the reason for such assignment, and a conference may be held prior to the student's readmittance to regular classes.

4. Each student assigned to the in-school suspension will report with textbooks and assignments.

5. Credit shall be given for all assigned classwork completed during the period of suspension. This material is to be turned in the first day that student returns to regular class. The student may also make up any test or quiz given during the suspension. Evaluation of the classwork and test/quiz shall be done by the classroom teacher.

6. The guidance counselor, and other appropriate personnel shall see all students who are suspended the second time. Guidance contact shall be recorded in the student's discipline file.

7. The school social worker will make a home contact with the parents of those students referred by the administration or designee.

8. The administration will request, in writing, a conference with the parents of those students assigned in-school suspension for the third time.

9. Students will not be readmitted to class until their assignment to the in-school suspension room has been fulfilled.

10. Students may not attend or participate in extracurricular activities while under in-school suspension.

Specific in-school suspension teacher responsibilities:

The teacher in charge of the in-school suspension room at each school shall:

1. Supervise the students assigned to the room and have the task of accounting for all such students under his charge.

2. Maintain daily records of students assigned and written reasons for being assigned, and be responsible for seeing that these assignments are completed.

3. Assist students in proper completion of classroom assignments and/or learning packets.

4. Make referrals to the counselor and caseworkers regarding students who need special help.

5. Compile a summary disciplinary report at the end of each report period and forward it to the Assistant Superintendent. In the event that the in-school suspension teacher is not a permanently assigned position, the administration will be responsible for all reports.

6. The administrator delegated by the building principal to be responsible for the coordination of the program will be in daily contact with suspension room teachers to assist in resolution of any problems.

When no students are assigned to in-school suspension, the teacher will perform duties as assigned by a building administrator.

INTERROGATIONS AND SEARCHES BY STAFF

The policy concerning criminal activity by students on school property, search of the student or a locker, and periodic searches of student lockers, shall be as follows:

1. It is prohibited for any student, while at school, to possess on his or her person or in a locker or to use in any manner or to sell any substance, item, or device, the use, possession, or sale of which is a crime under the laws of Pennsylvania.

2. Any building administrator or teacher who reasonably suspects that a student has in his possession on the school property or sells or uses on school property an illegal material, shall proceed as follows:

   a. The police shall not be called immediately.

   b. Since by law an administrator or teacher stands in the place of a parent to the students in the school the matter or incident should be referred immediately to the building principal with an explanation of, what facts led to the conclusions that the student possesses, uses, or sells illegal material.

   c. The principal shall then confront the student privately with the facts as related to the principal and ask the student to consent to a search of his person and/or locker.

   d. The principal shall be persistent in his request, and if necessary, insist upon the search.

   e. If the student uses force to resist, the police should be called for help.

   f. When a search is made of a student or his locker, at least one other teacher or school official should be present. The student shall be present when his locker is searched.

   g. If illegal material is found, it should be confiscated, marked in some identifying manner in the presence of the student, if possible, and that of at least one other teacher, and then held in a safe place for delivery to the police. An attempt should then be made by the principal to notify the student's parents.

   h. If illegal material is found and marked, the police should be called immediately and advised of the matter and all material should be delivered immediately to the police.

   If it is reasonably suspected that a student has illegal material in his automobile on school property, school personnel shall not conduct a search of the car, but shall immediately call the police and advise them of the facts which led to their belief of the possession of illegal material.

3. Unannounced blanket searches of all student lockers may be conducted whenever the principal deems necessary. Any illegal material or evidence of the commission of a crime, shall, after identification, be confiscated and turned over to the police with a complete report.

4. Reasonable suspicion, while difficult of definition, is defined as a conclusion arrived at by a reasonable, prudent, and conscientious mind, from facts at hand; it is not caused by such improper motives as a dislike for the student or malice, but only from the facts which are known. If they logically, rationally and in the exercise of good common sense, lead a reasonable, prudent, and discreet person to conclude that a student has illegal material on school property or on his person, this is a reasonable suspicion, but there must be a fair and conscientious consideration of only the facts that are known.

5. All school personnel shall cooperate with the police in every manner possible in carrying out this policy.

CORPORAL PUNISHMENT

In administering corporal punishment, those doing so must foresee that such course of action will result in the students' adjustment to more appropriate methods of behavior. However, if such improvement does not result, other corrective measures will be initiated.

Where corporal punishment is authorized, school authorities shall notify all parents of this policy. Corporal punishment may not be administered to a child whose parents have notified school authorities that such disciplinary method is prohibited.

Corporal punishment shall refer only to rational physical punishment administered in response to any act or acts of misbehavior committed by a student. It does not refer to any and all acts of touching a student when such action is taken for the safety and welfare of the student or other students.

The following guidelines shall be observed by the administrator when exercising judgment that corporal punishment is reasonably necessary:

1. The failure of other means of seeking cooperation from the student.

2. The seriousness of the offense which makes it difficult to maintain an environment conducive to learning.

3. The attitude and past behavior of the student.

4. The nature and severity of the punishment in relation to the offense committed by the student.

5. The age and strength of the student.

6. The availability of less severe but equally effective means of discipline.

7. When at all possible, the student shall be made aware of the seriousne of the offense and the need for punishment.

The following conditions shall be observed by the administrator when administering physical punishment:

1. It shall be administered privately, but with a witness present.
2. It shall be administered in a manner which is not degrading or embarrassing to the student being disciplined.
3. Students shall not be required to remove clothing when being punished.
4. It shall be administered humanely, with only reasonable (restraint) force so that no bodily injury is caused.
5. It shall be administered so that no part of the head or face shall be struck.
6. It shall not be administered in the heat of anger.
7. No such disciplinary action should exceed the degree of seriousness of the offense.

Reporting:

A written report of the incident shall be made by the person administering the punishment. This report shall be recorded and filed with discipline folder until such time as that student leaves the school in which he or she is enrolled.

The report will include the following:

1. Student's name, grade, date.
2. A brief description of the incident which caused such action to be taken at that time.
3. Brief description of punishment administered.
4. Name of person who administered the punishment.
5. Name of witness.
6. Signature of the administrator, and of witness.

The Board recognizes that discipline must be maintained in the schools and that every activity should contribute positively to the creation and maintenance of an environment that is conducive to learning. All professional members of the school staff have a responsibility for consistency in maintaining the behavioral limits set for students.

When positive efforts have failed to correct a student whose behavior is too negative to permit the maintenance of an environment conducive to learning, physical punishment may be administered by the building principal and/or administrative assistant, when in their judgment, such action is reasonably necessary.

Physical punishment as used in this policy is defined as "spanking" or "paddling" a student. Physical punishment shall be administered in accordance with the School Board Guidelines. At the beginning of each year, parents and/or guardians of all pupils shall be notified of this policy. Corporal punishment may not be administered to a child whose parents have notified school authorities either that such disciplinary method is prohibited, or that their child is under medical or psychological care. However, even in instances where corporal punishment is not approved by the School Board, reasonable force may be used by teachers and school authorities "(1) to quell a disturbance; or (2) to obtain possession of weapons or other dangerous objects; or (3) for the purpose of self-defense; or (4) for the protection of persons or property."

BUS CONDUCT

Protection of the safety of all children is the primary responsibility of the school bus driver and must take precedence over all other considerations while the bus is going to or from school. Subject to the limitations set forth herein, the school bus driver shall endeavor to enforce the School District Bus Conduct Administrative Guidelines pertaining to safety and conduct.

1. The driver may direct students to behave. If misconduct persists, the driver shall refer, in writing on a form provided by the school district, the pupil or pupils to the applicable school principal, or his/her designee to review the matter. Only where the health, safety and welfare of other pupils on the bus is in danger may the driver take reasonable and appropriate corrective action to enforce the Bus Conduct Administrative Guidelines pertaining to safety and conduct (School Board Policy JCDAD-R). However, at no time may a bus driver order a student off a bus other than at the normal bus stop for the district or in the custody of a school district administrator or his designee.

2. The school principal, or his/her designee shall investigate each disciplinary referral and shall give the pupil(s) accused of misconduct an opportunity to respond. Any disciplinary action shall be in accordance with the Disciplinary Action Schedule and/or policies on Suspension and Expulsion. The driver may or may not be asked to be present for any resulting conferences and hearings.

3. Parents of pupils disciplined shall be advised of the district's action, be provided with a copy of the policy, and where proceedings are instituted in accordance with the Schedule or policies on Suspension and Expulsion, be notified as provided therein. The school shall also keep the driver and/or bus company informed of any action taken on the driver's written report on student misconduct.

4. Specific provisions concerning public school pupil behavior on school buses shall be set for in the Administrative Guidelines (policy JCDAD-R).

At bus stops students must:

1. Be on time (others are depending on the bus to keep schedule).
2. Always conduct themselves in an orderly manner.
3. Wait off the highway out of the way of traffic.
4. Not play games or chase anyone (someone may run out into the street or highway in front of traffic).
5. Be sure the road is clear and wait for the driver's signal before crossing the road; cross in front of the bus.
6. Enter the bus promptly in an orderly manner after the bus comes to a complete stop.

On the bus students must:

1. Be seated before the bus moves and remain seated while the bus is in motion.
2. Not tamper with the bus or any of its equipment.
3. Not extend any part of the body from the bus.
4. Not eat, drink beverages, or smoke on the bus.
5. Not try to save seats for friends; leave room for the third pupil if necessary.
6. Be courteous to the driver, obey him, and give him the respect due a teacher.
7. Not talk to the driver while the bus is in motion or distract his attention by loud talking or disorderly behavior.
8. Ride only on the assigned bus and get off only at the assigned stop, with such exceptions as requested in writing by parents and approved by the principal.
9. Not violate other school district policies, or regulations of the Commonwealth or the United States.
10. Refrain from any actions which would endanger the health, safety and welfare of the other pupils on the bus.

ABSENCES AND EXCUSES

State law establishes conditions under which children may be excused from attendance at school.

In keeping with these statutes and recommendations of the State Department of Education, pupils in the West Chester Area Schools may be excused temporarily from school attendance for the following reasons:

a. Sickness
b. Quarantine
c. Death in the immediate family
d. Weather so inclement as to endanger the health of the child or make roads impassable.
e. For observance of a major religious holiday.
f. For other exceptional reasons with the approval of the administration.

Parents shall provide a written explanation for the absences of a child. These shall be required in advance for types of absences where advance notice is possible.

In instances where the school administration believes that absences due to illness are chronic and irregular, the school administration may request a physician's statement certifying that such absences are medically justifiable.

In instances of requests to be excused from school attendance for observance of a religious holiday, the school administration shall excuse absences only for those days on the list of major religious holidays published by the State Department of Education (see JBD-E).

Absences for a portion of the school day and tardiness will be considered on a cumulative basis and may be translated into equivalent days.

Absences not listed above or approved on a special basis by the school administration shall be unlawful. Unlawful absences shall include absences which result from parental neglect and illegal employment.

Excuse forms, provided by the school district, shall be completed and turned in to the school district by the student, within three days after return from an absence. The absence of any student failing to comply with this time period will automatically become unexcused and illegal and the school laws of Pennsylvania shall be applied accordingly.

Truancy

Frequent or prolonged absence, without satisfactory reason, or willful violation of the compulsory attendance laws, shall be handled in conformity with the procedures stated in the school laws of Pennsylvania. See also the disciplinary action for truancy as a level II offense in the proposed Disciplinary Action Schedule.

BOMB THREATS

The Board is extremely concerned about the problems concerned with threats, or warnings, of bombs being placed in any of the buildings of the school district. This concern arises from both the potential danger to the life and safety of pupils and school personnel, and disruption to classes which results from these threats.

In order to protect the lives and safety of persons, the Board directs the administration to evacuate the building in which a bomb is reported except for those persons directly involved in searching for the bomb. Persons evacuated are not to return to the building until it has been determined by authorities conducting the search, that no danger exists.

STUDENT SMOKING

In order to implement the board's policy in the matter of student smoking, the following regulations were developed by the administration with student consultation and approved by the Board for use at the high school level.

1. No smoking will be allowed within the school building or on school buses. This applies to school activities as well as to the normal school day.
2. Smoking shall be permitted only in designated areas.
3. Students must share the responsibility for the proper use and upkeep of the areas used for smoking.
4. Receptacles for butts, matches, and used cigarette packages will be provided at the doors to the buildings and are to be used.
5. Penalities for infractions of student smoking regulations established by this rule and those of each school will be a part of the student discipline provisions and will be consistently administered.
6. The school administration and the student government will share the responsibility for disseminating all regulations concerning smoking.
7. Smoking shall be permitted only at certain times:
    a. Before start of school days
    b. During lunch break
    c. After school hours
8. No smoking is permitted in middle or elementary schools. At these levels, possession of cigarettes or tobacco products will be considered a violation of the no smoking regulation and student will be subject to disciplinary action as described in the schedule.

The official policy of the West Chester Area Board shall be to discourage all students from smoking tobacco products, and education about the hazards of smoking shall begin in the elementary schools and continue at middle and high school levels.

However, the Board recognizes that some students smoke with their parents' knowledge and, in cases, approval, and since permitted and controlled smoking offers less of a fire hazard than surreptitious smoking, it shall be the policy of the Board to permit senior high school students to smoke outside of the building subject to regulations developed by the administration.

Students who do not observe the provisions of this policy and the administrative regulations shall be subject to penalties as set forth in the district's disciplinary guidelines.

OTHER POLICIES

- A student who is on suspension shall not participate in, nor attend any extracurricular activity during the period of suspension. This will be in effect immediately upon notification of suspension. Suspension shall be in effect until the start of the first day that the student is eligible to return to school. A student who is participating in an extracurricular activity must be in school in order to participate on that day.

- Excuse blanks, completed with the necessary data are to be turned in by the student, within three days, after return from an absence. The absence of any student failing to comply with this time period will automatically become unexcused and illegal and the school laws of Pennsylvania shall be applied accordingly. (See ABSENCES AND EXCUSES and TRUANCY).

- The School Attendance Register, Department of Public Instruction, is the official manual on matters of ATTENDANCE.

- The following procedures shall be followed in administering the West Chester Area School District PROMOTION policy regulations:

    1. Parents of all students who miss 10 or more days during any one marking period shall be notified in writing of the student's absence record.

    2. A parent/guardian conference shall be requested by the administration when a student has missed a total of 20 or more days.

    3. After 40 or more days of absence, an informal review of the student's records (including days of absence, discipline, and academic) shall be made by the administration and recommendations, if any, be made in writing to the Superintendent.

Due process procedures shall be followed in all cases of exclusion and suspension; i.e., in-school suspension, external suspension, expulsion.

3. General School Board Policy - Neshaminy School District

POLICY 505 - DISCIPLINE

GENERAL

1. Effective discipline should serve two purposes: First, it should prevent a recurrence of a particular misbehavior in a student, and second, it should be a learning experience for the student, permitting him/her to see why certain school rules have been made and why they must be followed.

2. Discipline is more than "making" a student do what is right; it should encourage a student to "choose" to do what is right.

3. Maintaining appropriate standards of discipline in the Neshaminy School District is essential to the establishment of a proper educational environment.

4. As such, it is imperative that those persons responsible for the maintenance of discipline be made fully aware of the guidelines set up to accomplish these ends, and that all policies jointly developed by administrative and staff personnel be completely in accord with these established guidelines.

5. It is clearly understood that policies and procedures will vary from school to school and level to level, but all are to comply with the guidelines as established in this policy.

6. In working to maintain the standards of discipline it is further assumed that all the necessary supportive services will be brought into play. These will include (in addition to teachers) the use of counselors, parents, administrators, psychologists, psychiatrists, social workers, home and school visitors, local authorities, and all others who might contribute to solving any discipline problem or to maintaining the approved standards of discipline.

SPECIFIC GUIDELINES

1. Discipline within each building, on school grounds, at bus stops, on school sponsored activities off school property, and during travel on school district buses shall be administered on a consistent basis by all members of the staff. The achievement of this result shall be the responsibility of each building administrator.

2. Minor breaches of discipline

   A. Misbehavior on the part of the student which impedes orderly classroom procedures.

   B. Misbehavior whose frequency or seriousness tends to disrupt the orderly operation of the school.

3. Major breaches of discipline

   A. Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of others in the school. The examples listed below are included but are not intended to be all inclusive.

      (1) Vandalism of school property or personal property on school premises (minor).

      (2) Theft of school or personal property (minor).

      (3) Fighting.

      (4) Smoking.

   B. Acts which result in violence to another's person or property or which pose a direct threat to the safety of others in the school. The examples listed below are included but are not intended to be all inclusive.

      (1) Threats made against a member of the staff.

      (2) Physical assault on a member of the staff.

      (3) Vandalism of school property or personal property while on school premises (major).

      (4) Theft of school or personal property (major).

      (5) Abuse of alcohol and other drugs (see Board Policy 510).

   C. The major breaches of discipline listed in A and B above, because of their serious nature, require prompt disciplinary action, including the involvement of local law enforcement officials, home and school visitor, and social worker, when deemed necessary.

4. The basic responsibility for maintenance of discipline in the classroom shall rest with the classroom teacher. In working toward the resolution of classroom discipline problems (including attendance), each teacher will take the following steps in sequence:

   A. Work with the pupil on a one to one basis.

   B. Contact the parents and elicit their support and assistance.

   C. Refer the problem to the building administrator.

5. Suspension from school shall be the sole prerogative of the building administrator.

   A. Prior to any suspension the student must be given notice of the reason for the suspension and have an opportunity to respond.

6. Removal from a class must be approved by the building administrator or his/her designee.

7. Corrective action which may include the laying on of hands, shall be taken by members of the staff in the following instances:

    A. In self-defense.

    B. To protect other pupils.

    C. To keep a pupil from injuring himself or herself.

    D. To remove a pupil from, or direct a pupil to a given area after the child refuses to follow a directive. Staff should exercise judgment in this matter by calling for administrative assistance, when necessary.

8. Any pupil who poses such a severe disciplinary problem that his/her presence in the classroom or in school makes it impossible to conduct normal school activities, and whose behavior does not improve after having been involved with teachers, parents, administrators, and special service personnel to resolve the matter, shall be suspended from school by the building administrator (up to 10 days) until such time as the District Superintendent and/or Board of School Directors decide on a course of action to be taken. . . based on the recommendation of the building administrator involved.

POLICY IMPLEMENTATION

1. All building administrators shall develop with their staff the individual building code and procedures which will be used to carry out the guidelines established above. Students shall be actively involved in providing input during the development of the building code.

2. All individual building discipline codes and procedures must be submitted to the District Superintendent for his approval.

3. The building discipline code and procedures shall be clearly spelled out in the teacher's handbook and pupil's handbook.

4. All staff members, once the individual building discipline codes and procedures are established and approved, shall carry them out to the letter. The building administrator is responsible for said compliance.

5. The Board may make the services of the district solicitor available to all members of the staff who desire them as a result (directly or indirectly) of implementing this policy.

4. Chart of Levels of Infractions - Gateway School District

DISCIPLINE CODE
LEVEL I

DESCRIPTION

Misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school.

PROCEDURES

1 There is immediate and consistent intervention by the teacher who is supervising the student or observes the misbehavior.
2. An anecdotal record of the offenses and disciplinary action is maintained by the teacher.
3. The teacher may wish to discuss the misbehavior with parent, administrator and/or support personnel.

EXAMPLES AND RECOMMENDATIONS

- Cheating or lying. (B-E, G-I)
- Cutting class or study hall. (D,E,G,J)
- Eating in unauthorized areas. (A-B, E,G)
- Gambling (B,D,E,G)
- Horseplay or Scuffling. (A-E)
- Inappropriate wearing apparel (hats, thongs, shorts, tank tops, etc.) (B,E,G)
- Loud boisterous noise. (A-E)
- Minor defacing of school property (Writing on desks, walls, books, etc.) (A-B, D-G)
- Possession/use of non-instructional items (audio devices, squirt guns, playing cards, etc.) (A-B, E,G)
- Public displays of emotion and affection. (B,E,G-I)
- Running in classrooms, halls, cafeteria, locker rooms, etc. (A-B, D-E)
- Tardiness to school, class or study hall. (B,D,E,G,J)
- Throwing objects (pencils, erasers, snowballs, etc.) (A-E)
- Sleeping in class/study hall. (A-B, E,G)
- Violation of classroom procedures established by teacher. (A-H)

NOTE: LEVEL I EXAMPLES AND DISCIPLINARY OPTIONS/RESPONSES ARE NOT LIMITED TO THOSE PROVIDED.

DISCIPLINARY OPTIONS/RESPONSES

A. Verbal Reprimand

B. Personal Talk

C. Isolation Within Classroom

D. Withdrawal of Privileges

E. Detention (as per building guidelines)

F. Special Assignment

G. Telephone Call or Written Communique to Parent

H. Parental Conference

I. Guidance Referral

J. Attendance Policy

DISCIPLINE CODE
LEVEL II

DESCRIPTION

These infractions which often result from the continuation of Level I misbehavior(s), require the intervention of personnel on the administrative level because the use of Level I disciplinary repsonses/options has failed to correct the situation.

Also included in this level are misbehaviors which tend to disrupt the orderly climate and conduct of the school. They are serious enough to require corrective action on the part of administrative personnel.

PROCEDURES

1. Referral to administrator.
2. Administrator meets with student and/or teacher to establish the most appropriate response.
3. The teacher is informed of the administrator's action.
4. Parents are notified of the student's misbehavior.
5. A proper and accurate record of the offenses and disciplinary actions is maintained by the administrator.

EXAMPLES AND RECOMMENDATIONS

- Continuation of Unmodified Level I misbehaviors. (B-G)
- Acting in an insubordinate manner. (C-G)
- Bus disturbance. (I)
- Cafeteria disturbance. (A-G)
- Cutting Class/Study Hall (repeated offenses) (B, D-H)
- Dressing in such a manner as to cause disdisruption in the educational process. (A-B, D-G)
- Failure to complete assigned detentions. (D-G)
- Failure to provide proper I.D. upon request (D-G)
- Falsification of records, excuses, passes, schedules, etc. (B,D,E,G)
- Leaving school grounds without permission. (D-G)
- Loitering in unauthorized areas of the school building/grounds. (A,B,D,E)
- Misbehavior at a school sponsored activity. (A-G)
- Possession of obscene materials. (B-G)
- Showing flagrant disrespect to school in word and/or gesture. (C-G)
- Smoking. (D-E,G,J)
- Truancy. (B,G,H)
- Use of obscene language or gestures. (B-G)
- Use of tobacco products. (B,E,G)

NOTE: LEVEL II EXAMPLES AND DISCIPLINARY OPTIONS/RESPONSES ARE NOT LIMITED TO THOSE PROVIDED.

DISCIPLINARY OPTIONS/RESPONSES

A. Warning
B. Office Detention
C. Corporal Punishment
D. Withdrawal of Privileges
E. In-School Suspension
F. Out-of-School Suspension
G. Parental Conference
H. Attendance Policy
I. School Transportation Policy
J. BOCA Basic Fire Prevention Code
K. Referral to Outside Agency

DISCIPLINE CODE
LEVEL III

DESCRIPTION

These infractions sometimes result from the continuation of Level I and/or Level II misbehaviors. Also included are acts against persons or property. Some of the infractions have consequences which might endanger the health or safety of others in the school.

These acts might be considered criminal but most frequently can be handled by the disciplinary mechanism in the school. Corrective measures which the school should undertake, however, depend on the extent of the school's resources for correcting the situation in the best interest of all students and personnel.

PROCEDURES

1. The administrator initiates disciplinary action by investigating the infraction and, if necessary, conferring with the teacher on the consequences.
2. The administrator meets with the student and confers with the parent about the student's misconduct and the resulting disciplinary actions.
3. An accurate record of offenses and disciplinary actions is maintained by the administrator.

EXAMPLES AND RECOMMENDATIONS

- Continuation of Unmodified Level I and/or Level II Misbehaviors. (A-E)
- Attempting or actually breaking into another student's locker. (B-F)
- Assault and/or battery on another student. (C-E,I)
- Dissemination of unauthorized materials. (B-E)
- Extortion. (C-I)
- Fighting. (B-E)
- Indecent exposure. (C-E,G,I)
- Intimidation: threat to student(s) and/or school personnel. (B-E,I)
- Leading or participating in a walkout. (C-E,I)
- Theft/possession/sale of another's property. (B-F, H-I)
- Vandalism (minor) (B-F)
- Violations of the Vehicle Code. (B-E,I)

DISCIPLINARY OPTIONS/RESPONSES

A. Temporary removal from class

B. In-School Suspension (three days mandatory)

C. Out-of-School Suspension (three days mandatory)

D. Parental Conference

E. Withdrawal of Privileges

F. Restitution of Property and Damages

G. Referral to Outside Agencies

H. Charges under Criminal Code

I. Referral to appropriate Law Enforcement Agencies

NOTE: LEVEL II EXAMPLES AND DISCIPLINARY OPTIONS/RESPONSES ARE NOT LIMITED TO THOSE PROVIDED.

DISCIPLINE CODE
LEVEL IV

DESCRIPTION

Disciplinary action under Level IV could result from the continuation of lower level offenses.
Also included are: acts which result in violence to another person(s) or property which pose a direct threat to the safety of others in the school.

These acts are clearly criminal in nature and are so serious that they always require administrative action resulting in the immediate removal of the student from the school.

The intervention of law enforcement authorities and/or action by the Board of School Directors may also be required.

PROCEDURES

1. The administrator verifies the offense and, if necessary, confers with the teacher involved before meeting with the student.
2. The student is immediately suspended from school and parents are notified. Law enforcement officials may also be contacted.
3. A complete and accurate report is submitted to the Superintendent for possible action by the Board of School Directors.

EXAMPLES AND RECOMMENDATIONS

- Continuation of Levels I, II, and/or III Misbehaviors. (A,G-H)
- Assault and/or battery on school personnel. (A-C,G-H)
- Arson. (A-C,F-H)
- Bomb Threat. (A-C,F-H)
- Engaging in any other conduct contrary to the criminal code or ordinances of the Commonwealth/Community on school grounds or at school sponsored activities. (A-H)
- Engaging in conduct so disruptive as to interfere with the orderly operation of the schools or which create a clear and present danger to the health and welfare of the school community. (A-H)
- Harassment of school personnel. (A-C,G-H)
- Leading or participating in a riot. (A-C,G,H)
- Possession/use/furnishing/selling of controlled substances (alcohol or drugs). (A-D,G,H)
- Possession/use/trasfer of dangerous weapons or explosives. (A-C,G,H)
- Setting off incendiary devices (firecrackers, smoke bombs, etc.) (A-C,F-H)
- Unwarranted pulling of a fire alarm. (A-C,F-H)
- Vandalism of school property or personal property of school personnel. (A-C,E,G,H)

DISCIPLINARY OPTIONS/RESPONSES

A. All proven offenses in Level IV have a mandatory 10-day Full Suspension with an informal hearing.

B. Referral to appropriate Law Enforcement Agencies

C. Referral for Psychological Services

D. Referral for Alcohol/Drug Rehabilitation

E. Restitution

F. BOCA Basic Fire Prevention Code

G. Formal Hearing with Board of School Directors

H. Expulsion

5. Elementary and Middle School Policy
Muhlenburg Area School District

Elementary and Middle School Student Discipline System Misconduct/Response Structure

A. Level I Misbehaviors classified in this level represent relatively minor infractions of established procedures which regulate the orderly operation of the school and its educational process. The frequency of their occurrence shall determine the appropriate disciplinary response and their reclassification at a higher level.

Infractions

1. Littering
2. Neglecting to return required forms
3. Tardiness to school or class
4. Failure to be prepared with class materials and supplies
5. Nondefiant failure to complete assignments, carry out teacher directions, or adequately prepare for class.
6. Abuse of hall, locker, or lavatory privileges.
7. Careless or unauthorized use of school property or facilities
8. Disruptive behavior in school, or campus, or on the school bus
9. Immodest or indecent dress
10. Cheating or lying

Procedures

1. The supervising staff member or observer immediately intervenes and applies the most appropriate disciplinary option.
2. Since the frequency of occurrence determines subsequent responses to the same infraction, the staff member should maintain a record of offenses and action taken.
3. In cases of repetitive misbehavior, the staff member shall confer with the principal and arrange for parental contact.

Optional Disciplinary Responses

A. Verbal reprimand

B. Seat change

C. Behavioral contract

D. Strict supervised study

E. Restriction of privileges

F. Special written assignments

G. Time - out room

H. Counseling

I. Parental contact

J. Clean-up after school and/or payment of damage

K. Detention

L. Paddling

M. Loss of credit or make-up privilege

B. Level II In this level are included misbehaviors whose frequency or seriousness tends to disrupt the learning climate of the school and to affect seriously the student's own education. Some of these infractions may be the result of a continuation of misbehaviors which remain unmodified by disciplinary actions under Level I. Because of their frequency or seriousness, the principal assumes the major responsibility for corrective action.

Infractions

1. Unmodified Level I misbehavior
2. "Cutting" scheduled periods or detention
3. Continual harassment of other students
4. Chronic misbehavior on school bus
5. Petty theft or gambling
6. Use of profanity or obscenity
7. Possession or distribution of pornographic materials
8. Leaving school without permission
9. Truancy
10. Defiance and insubordination
11. Forgery

Procedures

1. The teacher or observer reports the infraction or refers the student to the principal for appropriate disciplinary action.
2. The principal meets with the student and/or the teacher, determines the most appropriate disciplinary response, and then informs the teacher of the action taken.
3. The parent is notified.
4. The principal maintains a record of the offense and the disciplinary action.

Optional Disciplinary Responses

A. Continuation of the more stringent Level I options.

B. Sustained counseling.

C. Parental conference.

D. Temporary withdrawal of certain privileges or participation in school activities.

E. Temporary removal from class.

F. Suspension of school bus transportation.

G. In-school suspension.

C. Level III These acts are more serious because their consequences may have a lasting effect on the individual or may pose a threat to the health and safety of others in the school. While some might be considered criminal acts, for the most part their remediation can be undertaken through the disciplinary mechanism of the school. However, in some cases law enforcement officials may have to be contacted or notified.

Infractions

1. Continuation of Level II misbehavior
2. Chronic truancy
3. Possession of cigarettes or smoking on school property or on the school bus
4. Organized gambling
5. Stealing
6. Physically threatening other students
7. Fighting
8. Vandalism
9. Possessing, using, or being under the influence of unauthorized substances (drugs, alcohol) on school property or on school sponsored activities.
10. Serious acts of defiance of threatening a teacher or a supporting staff member.

Procedures

1. The infraction reported or detected, the principal investigates further and confer with staff members on the circumstances and immediate needs.
2. The principal meets with the student and confers with the parent about the misbehavior, the extent of its consequences, and the subsequent disciplinary action.
3. If he deems it necessary, the principal contacts law enforcement officials.
4. The principal makes an accurate record of the infraction and the disciplinary response.
5. Student makes restitution for any loss or damage resulting from the misconduct.

Optional Disciplinary Responses

A. Continuation of appropriate Level II options.

B. Full withdrawal of participation in school activity

C. Restitution of damages

D. Referral to outside agency

E. Temporary out-of-school suspension *

F. Full suspension *

*In accordance with procedures outlined in Policy JDD, September, 1975

D. Level IV Represented in this level are acts which are clearly criminal. Included are those which present a direct and immediate threat to the welfare of others or may result in violence to persons or property. So serious are they that in most cases they require administrative action which calls for the immediate removal of the student from school and the intervention of police.

Infractions

1. Unmodified Level III misbehavior
2. Possession and/or sale of stolen property
3. Extortion of other students
4. Indecent exposure
5. Tampering with the fire alarm; pulling false alarm
6. Major vandalism
7. Grand theft
8. Possession and/or use of firecrackers or explosives
9. Arson
10. Providing, selling, and use of illegal chemical substances and/or alcohol on school property or on school sponsored activities.
11. Bomb threat
12. Assault and battery
13. Possession, use, transfer of lethal weapons on school property or on school sponsored activities.

Procedures

1. Having verified the offense, the principal meets with all those involved.
2. The principal initiates procedures according to established policy for excluding the student from school and notifies the parents immediately.
3. The principal informs the Superintendent
4. School officials contact proper authorities and assist in prosecuting the offender.
5. The principal submits a complete and accurate report to the Superintendent for possible Bard action.
6. In the event of expulsion, the student receives a full due process hearing before the Board of Education.

Optional Disciplinary Responses

A. Full restitution of damages

B. Full suspension

C. Alternative schools

D. Expulsion

6. A Drug and Alcohol Policy - Neshaminy School District

POLICY 510 - ALCOHOL AND OTHER DRUGS

The following alcohol and other drug (people problem) policy is stated knowing that school authorities are dedicated to the welfare of the students of the Neshaminy School District. It is intended to protect the health, safety and welfare of all concerned as well as maintain and improve the rapport existent among students and staff.

I. Responsibility of School Personnel

A. All personnel of the Neshaminy Schools are to report to their immediate supervisor any student or employee involved in the use, transfer of, or having alcohol or other drugs, narcotics, or other health endangering compounds in their possession while on or about the school property or while on a school related function.

B. All personnel of the Neshaminy Schools are to report to their immediate supervisor any person who is not a student or employee and who is found to be using, soliciting, or giving a student or employee any alcohol or other drugs, narcotics, or other health endangering compounds while on or about the school property or while on a school related function.

C. The supervisor is to report such information to the Superintendent immediately and confirm the same to the Superintendent as soon as possible in writing relating the specific sequence of events in each case.

D. The supervisor or the Superintendent will immediately notify the appropriate law enforcement agency in any case involving persons not related to the district.

II. Students

A. Possession, use and abuse of alcohol or other drugs, narcotics, or other health endangering compounds -- first offense.

A student who, while under the school's jurisdiction, is found to possess, use or abuse alcohol or other drugs, narcotics, or other health endangering compounds for the first time shall be subject to the following action:

1. Immediate

a. Parents or guardians shall be immediately contacted by building administration and the student shall be sent home or removed from the school for medical attention if necessary. If parents or guardians cannot be reached, the decision to get medical attention for the student or to isolate the student from other students shall be made by school administration.

b. The police department having jurisdiction over the area in which the school is located shall be notified by the Superintendent or his designee and the student shall be referred for appropriate action.

c. The student initially will be suspended for a minimum of three school days during which time an informal hearing will be scheduled.

2. Informal Hearing

Within the three day suspension period above, preferably the day after the occurrence, an informal hearing shall be held with the student, his/her parents or guardian, local police department representative, the school administration and any other person who, in the judgement of the administration, could make contributions to aid in determining a course of action. As a result of the meeting, the school district shall do one or more of the following:

a. Refer the student to district personnel for counseling. Appropriate staff members may constitute one or more of the following:

(1) Administrative Assistant
(2) School Nurse
(3) Student's Guidance Counselor
(4) School Psychologist
(5) Other Appropriate Trained Staff Members selected by the Principal

b. Require the student, under parental supervision, to obtain guidance or psychological counseling from an outside professional agency. Confirmation of such contact shall be required to be submitted within a prescribed time to the school administration. Failure to comply within the prescribed time will be cause for suspension within the guidelines of this policy.

Possible Outside Contacts (With Parent Consent)

(1) Juvenile Probation Officer
(2) Physician
(3) Psychologist or Psychiatrist
(4) Appropriate local and state rehabilitation centers. Confirmation of such contact shall be required to be submitted within a prescribed time to the school administration. Failure to comply with the prescribed time will be cause for suspension within the guidelines of this policy.
(5) Other agencies identified by the Bucks County Drug and Alcohol Commission.

c. Full suspension for up to ten (10) school days.

d. Referral to the District Hearing Committee for an expulsion hearing.

e. Any other action determined appropriate by the situation.

B. Possession, Use or Abuse of Alcohol or Other Drugs, Narcotics, or Other Health Endangering Compounds -- Second Offense.

Transfer or Intent to Transfer -- First Offense.

A student who, while under the school's jurisdiction, is found to possess, use or abuse alcohol or other drugs, narcotics, or other health endangering compounds for the second time, or a student, who while under the school's jurisdiction is found to transfer or Intend to Transfer alcohol or any other drugs, narcotics, or other health endangering compounds for the first time shall be subject to the following action:

1. Immediate Suspension from School

2. Informal Hearing

3. Referral to the District Hearing Committee for an expulsion hearing.

4. Referral to the appropriate law enforcement agency with the strong recommendation that the student be prosecuted.

C. Transfer or Intend to Transfer "Look Alike Drugs"

1. A student who, while under the school's jurisdiction, is found to transfer or intend to transfer "Look alike drugs" shall be subject to conditions outlined in Section II -- B above.

III. Employees

A. Possession, use, or transfer of alcohol or other drugs, narcotics, or other health endangering compounds by school employees shall be processed under the appropriate work rules of the District governing the conduct of employees.

IV. Procedures and Practices

A. Dealing with Suspects

1. All students and staff members of the Neshaminy School District shall report to the principal any person suspected of soliciting, giving, or using alcohol or other drugs, narcotics, or other health endangering compounds while on or about the school property or while on school related functions.

2. Persons who have been in a position to make such a report and have failed to do so shall be subject to disciplinary action by their immediate supervisor when reasonable evidence is presented indicating that such person has ignored the responsibility.

3. School administrative personnel shall have the authority to require students or other persons under the administrator's jurisdiction to submit to a thorough search of clothing, handbags, wallets, and lockers to take possession of any unauthorized materials suspected of being in their possession. Prior to any body search of students an attempt shall be made to contact parents for their consent or attendance at the search. Such searches shall be conducted with an appropriate witness, which may be the parent or a staff member, and must not be conducted without reasonable suspicion. Body searches will be made by persons of the same sex.

4. Students who refuse to submit to a reasonable cause search as outlined in this policy shall be immediately suspended from school and referred to the Superintendent's office for disposition, which shall include any of the enumerated designations in Section II A of this policy.

5. Persons found to possess, use, abuse, or transfer alcohol or other drugs, narcotics, or other health endangering compounds are to be promptly subjected to the steps outlined in this policy.

6. Persons who, after submitting to a search, are found not to be in possession of alcohol or other drugs, narcotics, or other health endangering compounds, are to be promptly excused and no further action is to be taken. A report of the incident shall be filed with the immediate supervisor for future reference, but shall not be retained for a period of more than one year from the date of the report if no similar instances are reported.

B. Medicine in the Schools (Storage and Taking of Medicine)

All medicine taken in school is to be either stored in or cleared through the nurse's office.

C. Student Who Comes Voluntarily

A student who voluntarily comes, or is referred, to the principal seeking help and not under the immediate influence of, or transferring, or in the possession of alcohol or other drugs, narcotics, or other health endangering compounds within the school, is not subject to the provisions of this policy, but will be provided with all appropriate help as defined in Section II A, 2, a & b.

V. Definitions

A. Superintendent refers to the Superintendent of the Neshaminy School District or his designee.

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B. Building Administrator refers to the principal or his/her designee.

C. District Hearing Committee refers to a committee of School Board members specifically designated to deal with student discipline problems.

D. Immediate supervisor refers to administrative and supervisory members of the certified or service staff.

E. Alcohol or other drugs, narcotics or other health endangering compounds include, but are not limited to alcohol, alcohol beverages, tranquilizers, amphetamines, synthetic opiates, marihuana, LSD and other hallucinogens, glue solvent-containing substances. A more specific and comprehensive list would include all substances identified in the following laws.

   1. Drug Device and Cosmetic Act 1971 (Commonwealth of Pennsylvania).

   2. Public Law 91-513 Comprehensive Drug Abuse Prevention and Control Act of 1970 (Federal Law).

   3. The Controlled Substance Drug, Device and Cosmetic Act of April 14, 1972 (P.L. 233, No. 64) and Amendments.

F. Look alike drugs are any substances manufactured or designed to resemble drugs, narcotics or other health endangering compounds included under Section E above.

7. An Elementary School Playground Policy
Brady-Henderson Mill Creek Elementary School
Huntingdon Area School District

Playground - (Play Time)

Rules

1. Play in designated areas.
   - A. Play on black-top unless you check with the teacher on duty each recess.
   - B. Stay away from all doors.
   - C. Stay away from cars parked on lots.
   - D. Your need to ask the teacher on duty, before going around the fence to get ball.
   - E. Balls are allowed on bottom playground only. (Basketball is allowed on top playground if using the hoop.)
   - F. Stay off the fence.
2. Play games that are not dangerous.
   - A. Swings - Sit on swings.
     - Stay away from area if you'r not swinging.
     - Wait until swing slows down, before you get off.
   - B. Slide - One person at a time is allowed on ladder.
     - Slide on your bottom - feet first.
     - Don't pull or push on the top bars.
   - C. Monkey Bars - Any tag games are too dangerous.
     - Do not stand on top bars.
     - Do not shake bars.
     - Do not do flips or hang from monkey bars.
   - D. Dodge Ball - Use only playground ball.
     - Be careful not to hit on the head.
     - Use only one ball.
   - E. Football - Touch or Flag only.
3. Step Area
   - A. Steps are for walking up and down, not to play on.
   - B. Line up by the end of the building until teacher goes to upper playground.
4. Return to building only if you have teacher or duty's permission.

Consequence

1. Child will stand by the building for the rest of recess.

Playground - (Line up time)

Rules

1. Get in line promptly as the bell rings.
2. Top playground people should line up at the top of the steps.
3. Hold onto your equipment.

Consequence

1. Child will report to the room of the teacher who was on recess duty and spend his next recess there.

8. Special Education Exclusions
Eastern Lebanon County School District

2030.4 Disciplinary Exclusions of Certain Handicapped Students from Special Education Placement

A. Definitions

When used in this section, the following words and phrases shall have, unless the context indicates otherwise, the following meanings:

1. Education agency - A school district, an intermediate unit. or an approved private school.

2. Exclusion - A suspension, expulsion, disenrollment, or transfer of a student by an educational agency from the school in which the student is in attendance for a violation of established school rules and law dealing with student conduct, as outlined in Chapter 12 of this title (relating to students).

B. Due Process Hearing required.

1. Change in educational placement--if an educational agency excludes a student who is either socially and emotionally disturbed on learning disabled from a program of special education and if this exclusion constitutes a change in educational placement of status. Such an exclusion may not, therefore, occur if the due process procedures set forth in this subsection have not been complied with.

2. School district initiated due process procedures--before an educational agency can exclude or propose to exclude--for more than ten days--a student who either is socially and emotionally disturbed or is learning disabled from a program of special education, the education agency must follow the procedures set forth in Section 13.32 of this title (relating to school district initiated due process procedures). This means, among other things, that the district must provide the student's parent with notice, the opportunity for a special education due process hearing, and such other rights as are outlined in that section.

3. Parent initiated due process procedures--if an educational agency either excludes or proposes to exclude a socially and emotionally disturbed or learning disabled student from a program of special education for a period exceeding ten days, the parents of the student shall have the right to request a due process hearing, pursuant Section 13.31 of this title (relating to opportunity for due process procedure), in order to contest such exclusion or proposed exclusion.

4. Exclusions of ten days or less--nothing in this section shall be interpreted to mean that existing due process or hearing procedures, under other sections of this title, dealing with exclusions of ten days or less are in any way superseded by this section.

9. Policies for School Bus Conduct, Driving, Dress Code, and Flag Salute/Pledge of Allegiance
Penn Cambria School District

SCHOOL BUS CONDUCT

Bus transportation to and from school is a privilege established by the taxpaying citizens of the Penn Cambria School District for every student. Students may avail themselves of the opportunity in the transportation program. However, it must be understood by both the students and their parents the responsibilities which this privilege carries.

Maintaining discipline on school buses is a community affair and needs the cooperation of all involved. Misconduct on school buses is dangerous and foolhardy, as well as selfish and lacking in self-discipline. The Penn Cambria School District has set down regulations, and students who violate them may be denied bus service. The rules have one aim: safe transportation between school and home.

5113.1 Students will conduct themselves while on the bus in a manner that will not distract the driver. A bus driver has many responsibilities, and all are important for the safety of the students.

5113.2 No driver shall pick up or discharge any pupil at any place other than the authorized stop for that pupil.

5113.3 The driver is in complete charge of the bus and the students. The driver has the authority to refuse transportation to a student who has violated the rules, until the case is reviewed and acted upon by the administration of the school district. Any incident must be reported by the bus driver to the school administration within 24 hours of the occurrence.

5113.4 These rules must be followed by all students riding on the buses:

Students shall not:

a. Eat, drink, or use tobacco; such as smoking or chewing on the bus.

b. Engage in horseplay, make excessive and unnecessary noise or use profane or vulgar language.

c. Walk or move to another seat while the bus is in motion.

d. Throw paper, etc. on the floor.

e. Block the aisle or emergency door with musical instruments, books, lunch boxes, gym bags, or other possessions.

f. Extend arms or heads out of the windows, or throw away objects out of the bus.

g. Regulate windows unless permitted to do so by the driver.

h. Carry water pistols or any other water containers on the bus. They will be destroyed if found.

5113.5 Suspension of bus riding privileges shall be the responsibility of the building principal only after the child has been returned home for that day.

a. Period of suspension is at the discretion of the building Principal.

b. Immediate notice of suspension, reasons for suspension, and the duration of suspension must be given to the parents and the Coordinator of Transportation.

5113.6 Any person willfully damaging a bus will be held responsible for such actions.

5113.7 Punishment for bus violations shall consist of a warning by the administrator and a phone call or letter to parents for the first violation. Second offense shall cause denial of bus privileges for five days. Third offense will cause loss of bus riding privileges and administrative judgment as to further punishment.

5113.8 A signed note from a parent or guardian and approved by the Principal's office must be presented to the bus driver to get off at another stop. This practice is limited to emergencies only.

DRIVING TO SCHOOL

High school students upon receipt of approval from the Principal have the privilege of driving to school in their own vehicles.

5114.1 Students must park their cars in the parking areas designated for students, as listed in the Student Handbook. There will be no loitering in the parking lot or sitting in parked cars prior to school or during school hours. Students are to enter school immediately upon their arrival.

5114.2 Student drivers must show evidence of a valid Pennsylvania license and no-fault insurance coverage.

5114.3 Student drivers must submit a permission form signed by their parent or guardian to the principal's office.

5114.4 All vehicles must be registered in the principal's office as to make, model and license number.

5114.5 A permit sticker, issued by the principal's office, must be displayed on the rear view mirror of the vehicle.

5114.6 All vehicles must be driven only on roadways provided and all vehicles must be parked in designated areas.

5114.7 Nonregistered vehicles will be towed from school property at the owner's expense.

5114.8 Any violations of this policy or the provisions under which approval to drive is granted will result in revoking of driver privileges.

5114.9 Reckless driving and drag racing in the parking area are major offenses and cannot be tolerated.

5114.10 Any exceptions to the above guidelines must be cleared by the responsibility principal.

Legal Reference:	Penna. St.	
	24-4-407	Rules and regulations
	14-13-1317	Authority of teachers, vice-principals and principals over pupils
	24-13-1318	Suspension and expulsion of students
	24-13-1338	Delinquent children

DRESS AND GROOMING

In 1972, the United States Court of Appeals for the Third Circuit (which includes Pennsylvania) ruled that a school board's regulations governing the length of a student's hair were unconstitutional because "the governance of the length and style of one's hair is implicit in the liberty assurance of the Due Process Clause of the Fourteenth Amendment". A school board may not impose limitations on dress in which fashion or taste is the sole criterion, even if a majority of students have approved a student dress code.

5117.1 Student dress and grooming are the responsibility of the student and parents, unless there is a definite safety or health hazard, a hindrance to the educational processes, or a case of obscenity. Health considerations require the wearing of footwear in public buildings.

5117.2 Students participating in physical education classes or in extracurricular activities are required to wear the clothing detailed by the Physical Education Department or the director or advisor of the particular extracurricular activity.

5117.3 Some type of head covering may be required for industrial arts, home economics, and some science laboratories where the length of a student's hair might present a safety or health hazard.

FLAG SALUTE AND PLEDGE OF ALLEGIANCE

It is the responsibility of every citizen to show proper respect for his or her country and its flag. However, students may decline to recite the Pledge of Allegiance and may refrain from saluting the flag, on the basis of personal belief or religious conviction.

5116.1 Students who choose to refrain from such participation shall respect the rights and interests of others who do wish to participate in a meaningful ceremony. A student who chooses not to participate may either stand or sit, remaining respectfully silent.

10. A Policy for Bicycle and Motor Vehicle Use
Midd-West School District

USE OF BICYCLES AND MOTOR VEHICLES

Purpose

The Board regards the student use of bicycles and motor vehicles for travel to and from school as a privilege for which full responsibility must be assumed by parents and students.

Authority

The Board will permit the use of bicycles by students and in accordance with the rules of the district.

The Board will permit the use of motor vehicles by students and in accordance with the rules of the district, and provided that such students are licensed drivers. The Board will not permit the use of mini-bikes or other unlicensed motor vehicles for travel to and from school.

The Board will not be responsible for bicycles or motor vehicles which are lost, stolen or damaged.

Delegation of Responsibility

The Superintendent shall develop guidelines for the parking of bicycles and motor vehicles and shall disseminate those rules to all students so affected.

GUIDELINES - POLICY GUIDE 223

The use of bicycles and motor vehicles for travel to and from school is a privilege extended to students for which students must assume full responsibility.

(1) All cars parked on school property must be registered on Midd-West Student Vehicle Registration forms provided by the office.

(2) A student who has properly completed a signed Midd-West School District Student Vehicle Registration form and has it approved by the designated school administrator shall be eligible to purchase a student parking sticker. The parking sticker shall be placed on the right rear bumper of the vehicle for which it was registered.

(3) All students driving to school must park on the school parking lot. Only vehicles with the proper student parking sticker displayed will be permitted on school property during school hours. All student vehicles found on school property during school hours without the proper registration and sticker will be reported to the proper law enforcement agency for removal.

(4) No car may be moved during school hours. The only exception will be permission given by the administration.

(5) There shall be no loitering in the cars by students before or during school hours.

(6) Upon recommendation of any school employe, the parking privileges of any student may be withdrawn by the building administrator.

(7) All rules of the Pennsylvania Vehicle Code will be enforced while cars are on school property.

(8) Mini-bikes or other unlicensed motor vehicles may not be used for travel to and from school.

STUDENT AUTOMOBILE REGISTRATION

This registration form must be completed by all students who at any time during the school term expect to use the parking facilities of Middleburg High School and West Snyder High School during regular school hours. Use a separate form for each car you expect to drive.

______ Middleburg High School ______ West Snyder High School

Student's Name ______________________________
Student Parking Sticker No. __________________

CAR REGISTRATION

Model ________________ Make ____________________ Body Type ________________
License No. ___________
Approved ____ Yes ____ No Date __________ Building Administrator ______________

STUDENT AGREEMENT

1. I will purchase and properly display a Midd-West School District student parking sticker on the vehicle I have registered above.

2. I will park my car promptly upon arrival at school in the area of the school property designed by school authorities for students.

3. I will not move my car from its parking space during school hours, including lunch time, except in cases of emergency for which special permission is granted by the high school principal or assistant principal.

4. I will operate my car at all times in the interest of the safety of others.

5. I understand that any violation of this agreement may result in suspension or revocation of my rights as a student driver.

____
Student's Signature

PARENTAL CONSENT AND CERTIFICATION OF NEED TO DRIVE

I hereby give my consent to __________________________ to drive to school and certify that any occasion of (his/her) driving is one of necessity. I have read the agreement which (he/she) has signed and will share the responsibility for the student's compliance with the agreement.

____
Signature of Parent or Legal Guardian

____
Date

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